Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 1 of 383

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Pamil.

WALKER RIVER PAILTE TRIBE.

Plaintiff-Intervenor.

VS.

WALKER RIVER IRRIGATION DISTRICT. a comporation, et al...

Defendants.

N EQUITY NO C-125-ECR Subproceeding: C-125-B

FIFTH REPORT OF THE UNITED STATES OF AMERICA CONCERNING STATUS OF SERVICE ON CERTAIN PERSONS AND ENTITIES

The United States of America ("United States"), on behalf of itself and the Walker River Parute Tribe. "Tribe"), submits the following information related to its service efforts on persons and entities subject to service under the Tase Management Order (Apr. 18, 2000) ("CMO"). As set forth in this pleading, the United States asks the Court to approve pertain service efforts, to amend the caption related to this phase of service, to make corrections and additions, and, in some instances, to take no action at this point as service efforts are continuing. The instant filing focuses on a portion of those persons and entities subject to service under Paragraph 3.a. of the CMO.

This is the Effh such filing that the United States has made in this action. The United States also filed its Found Separt of the Chica i States of America Concerning Status of Service.

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PLACED UNDER SEPARATE COVER DUE TO SIZE I# 150

650

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 2 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

1 ,	Ding Rein	
Date: 3/20(65	Signature Denvis Accion	
	Printed/Typed Name	,
	If you are acting on behalf of any entity, identify	that you are
	acting as:	of
	Denuis Alinda Accini	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked be a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a court of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 3 of 383

-			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.		
4	Plaintiff.		
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
8 9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11			
12	1. I hereby enter my appearance in this sub-proceeding in this case.		
13	2. I am filing this document with the District Court at the following address:		
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu		
17	Summons. I am mailing a copy of this document to:		
13	Susan L. Schneider		
19	Attomey for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe-		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represer		
25	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
23			
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2		

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1	Attorney:	
2		
3	Address:	
4		
5		
б	Phone Number:	
7	Fax Number:	Do Dani
8		(5:
9		(Signature)
10		Dennis Accini
11		(Printed or typed Name)
12		(* ***********************************
13		
14		DENNIK & Linda Accion
15		(Entity, if any, on whose behalf you are appearing)
16		P. O. B. x 36
17		Smfh Nw 79430
18		(Address)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 5 of 383

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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/20/05

Signature/

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has beer brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

of

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 6 of 383

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2	IN THE UNITED STATES IN FOR THE DISTRICT OF	DISTRICT COURT OF NEVADA	
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.)	
5	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7		<u> </u>	
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10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this su 	b-proceeding in this case.	
12	 I am filing this document with the Dist 		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu (
17	Summons. I am mailing a copy of this document to:		
13	Susan L. Schneider		
19	Attorney for the United States of Amer		
20	Environment & Natural Resources Divi P.O. Box 756	ision	
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am ac-		
23	to the lawsuit or to the jurisdiction or venue of the cou		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings. I identify that attorney below, along with his or her mailing addres		
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2	

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 7 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 8 of 383

	Case	3:73-CV-UU 127-IVIIVIL	U.S. DOCU	IMent 650 Filed 05/09/0 T. RES. C. T. ER. CO	US Page 8 01 38
1	Mic 20 Re 77	BLE HOY & TRACHOK chael D. Hoy (NV Bar 2723; CA Bar 13 1 West Liberty Street, Third Floor no, Nevada 89511 75.786.8000 (voice) 75.786.7426 (fax) ttorney for: Richard T. Adams and Gregory	nc FEB 2	3 AM 10: 3	
-	5 6 7	Ur	nited States District o	District Court f Nevada	
BIBLE TRACHOK	8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Richard Taylor Adams and Fed.R.Civ.P. 4(d), Adams personal jurisdiction, and so Dated February 24	k hereby enters it Gregory Burton A mereby waives ser	In Equity No. C-125-ECR Subfile No. C-125-B Notice of Appearance and Intent to Participate s appearance on behalf of Counter Adams (collectively "Adams"). Powice of a summons, retaining objection. BIBLE HOY & TRACHOK Michael D. Hoy	Ĭ.
		25 26			_
		27			Exhibit 3
		28		-1-	Exhibit 4

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 9 of 383

		differit 000 i fled 00/09/00 i age 9 of 50
	Certificate	copy of the foregoing Notice of Appearance U charges prepaid thereon, on February 24,
1 \	Library sent a true and correct	copy of the lores.
2	I certify that I have sent a true and correct ntent to Participate via United States Mail, a	Il charges prepaid thereon, on February 24,
1.	ntent to Participate via United States Many	
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4 2005 5 Susa 6 Unit Env 7 P.C Litt 8 Sh 9 As 10 Re 11 12 2 13 I 14 15 16 17 18 19 20 21 22 23 24 25	an L. Scheider ted States Department of Justice vironmental & Natural Resources Division D. Box 756 tleton, Colorado 80160 irley A. Smith sst. U.S. Attorney W. Liberty, Suite 600 eno, Nevada 89501 George Benesch Marsh Avenue, Suite 105 P.O. Box 3498 Reno, Nevada 89505 Jim Weishapt, General Manager Walker River Irrigation District P.O. Box 820 Yerington, Nevada 89447 James T. Markle State Water Resources Control Board P.O. Box 100 Sacramento, California 95814 John Kramer Department of Water Resources 1416 – 9th Street Sacramento, California 95814 Ross E. deLipkau Marshail Hill Cassas & deLipkau P.O. Box 2790 Reno, Nevada 89505	Linda Lea Sharer, Chief Deputy Clerk USDC for The District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501 Robert L. Hunter, Superintendant Western Nevada Agency Bureau of Indian Affairs 1677 Hot Springs Road Carson City, Nevada 89706 R. Michael Turnipseed, P.E. Division of Water Resources State of Nevada 123 West Nye Lane Carson City, Nevada 89710 David E. Moser McCutchen Doyle Brown & Enerson Three Embarcadero Center San Francisco, California 94111 John P. Lange, Dept. of Justice Environmental & Natural Resources Division 999 18th Street, Suite 945 Denver, Colorado 80202 Roger Johnson Water Resources Control Board State of California P.O. Box 2000 Sacramento, California 95810 Garry Stone 290 S. Arlington Ave. Reno, Nevada 89501

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 10 of 383

2 P 2 2 P 4 N 5 I	ichard R. Greenfield ield Solicitors Office Department of the Interior North Central Avenue, Suite 500 Phoenix, Arizona 85004 Marta Adams Deputy Attorney General Division of Water Resources 100 North Carson Street Carson City, Nevada 89701-4717 Gordon H. DePaoli Woodburn & Wedge P.O. Box 2311 Reno, Nevada 89501 Mary Hackenbracht Deputy Attorney General State of California 2101 Webster Street Oakland, California 94612-3049 Roger Bezayiff Chief Deputy Water Commissioner U.S. Board of Water Commissioners P.O. Box 853 Yerington, Nevada 89447 Treva Hearne Jim Spoo Zeh Polaha Spoo & Hearne	Linda A. Bowman 499 West Plumb Lane, Suite 4 Reno, Nevada 89509 Robert C. Anderson/Timothy Lukas Hale Lane Peek, et al. P.O. Box 3237 Reno, Nevada 89505 Donald B. Gilbert DeCuir & Somach PC 400 Capitol Mall, Suite 1900 Sacramento, California 95814-4407 Larry Reynolds Deputy Attorney General State Engineer's Office 123 W. Nye Lane Carson City, Nevada 89710 John Davis P.O. Box 1646 Tonopah, Nevada 89049
18 19 20 21 22 2	575 Forest Street Reno, Nevada 89509	Martha Ellis

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 11 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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and I may use will ret	gain all defenses or objections to the lawsuit
5. I (or the entity on whose behalf I am acting) will ret or to the jurisdiction or venue of the Court except for objection	defect in the Notice in Lieu of
5. I (of the chility of white a court except for objection	ns based on a defect in the reason
and the Coult Cacobe 201 and	
or to the Junisdiction of the Notice in Lieu of Summons	7////
or to the jurisdiction of vehice of the Source of Lieu of Summons. Summons or in the service of the Notice in Lieu of Summons.	// // // // //

Date: 11-15-04

E. Richard Thomas

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: President of (Title)

Ha Heritace Development Inc.

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 12 of 383

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Date: 3-1-05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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20	United States Department of Justice Environment & Natural Resources Division		
23	P.O. Box 756 Littleton, Colorado 80160		
22			
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2			
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2		

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 14 of 383

1	Attorney:	
2		
3	Address:	
4	·	
5		
6	Phone Number:	
7	Fax Number:	
8		Cyrchia Hiazi
9		(Signature) 3-1-05
10		Cynthia J Dinzzi
11		(Printed or typed Name)
12		.
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		
17		(Address)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 15 of 383

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Date: 3 - 1 - 05	Signature R. Aug 22)	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

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Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor. 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 17 of 383

1	Attomey:	
2		
3	. Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		(Signature)
9		(Signature)
10		
11		COANY R. A1A221
12		(Printed or typed Name)
13		3-1-05
14		(Trading if any analysis
15		(Entity, if any, on whose behalf you are appearing)
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17		(4.11
18		(Address)
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 18 of 383

A.P.N. 10-581-22 & 21 Escrow No.: LY-302205-DA - LY-302205A-DA

The undersigned grantor(s) declare(s):

Documentary transfer tax is \$474.50, computed on full value of property conveyed.

GRANT, BARGAIN, SALE DEED

or Trustee of the Edward A. Andrews Trust in consideration of \$10.00 Dollars,

the receipt of which is hereby acknowledged coles) hereby Grant, Bargain, Sell and Convey to Kathy S. Blackford, An

a Single Woman

Lyon, State of Nevada, bounded and described as follows: Uhtat fiel Worthlet all that real property in the

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

nto belonging or in anywise appertaining. Together with all singular the tenements, hereditaments and appurtenances t

Dated: 12-16-02

Edward A. Andrews Trust

CALIFOANIA STATE OF NEVADA

COUNTY OF DRANGE)

On Dea, 16, 2002 personally appeared before me, a Notary Public, Thomas E,

WHEN RECORDED MAIL TO: Kathy S. Blackford 407 Pleasant Hill Lane Sierra Madre, CA 91024

KATHRYN A. FLANIGAN Commission # 12/7278 Notary Public - California Orange County

Exhibit 8

·· THIS IS AN UNOFFICIAL COPY ***

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 19 of

LY-302205-DA

EXHIBIT "A" ATTACHED TO DEED

EXHIBIT "A"

All that certain real property situate in the county of Lyon, State of Nevada, described as follows:

All that certain real property being a portion of the North 1/2 of the Southwest 1/4 of Section 27, Township 11 North, Range 24 East, M.D.B.&M., Lyon County, Nevada described as follows:

Parcel 2 as shown on the Parcel Map for Church of Latter-Day Saints, recorded in the Official Records of Lyon County, Nevada on October 21, 1994 as Document No. 176235.

Parcel B:

All that certain real property being a portion of the North 1/2 of the Southwest 1/4 of Section 27, Township 11 North, Range 24 East, M.D.B.&M., Lyon County, Nevada described as follows:

Parcel 3 as shown on the Division of Land into Large Parcels Map for Garmsland Limited, L.L.C., recorded in the Official Records of Lyon County, Nevada, on February 22, 1996 as Document No. 190423.

TOGETHER WITH ALL WATER AND WATER RIGHTS APPEARTENANT TO THE HEREIN DESCRIBED PROPERTY.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 20 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
 - 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAJUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
 - 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
 - 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Summons or in the service of and	Duran Checkin
Date: 12-17-04	Signature Chichostor
Date	Printed/Typed Name If you are acting on behalf of any entity, identify that you are of
	acting as:
	(Title) Antelope Valley Mutual Water Company Antelope Valley Mutual Water Company
	Antelope value of the entity)

Antelope Valley Mutual Water Company (Corporate, Trust, Partnership or other entity)

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been the cost of such service unless good cause be shown for its failure to sign and return the waiver. response to a familie to warve service that a party believes that the claims of the opposing parties are unfounded, or that the action has been used in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service ight in an improper place of in a court mat tacks jurisdiction over the subject matter of the action of over its person of property. A party who warves service in the interest of the Notice in Lieu of Summons or to the service of the Notice in Notice in Lieu of Summons or to the service of the Notice in Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons or the Summons of the Summ

of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought. unumons), and may rater object to the jurisdiction of the court of the me prace where the action has been blought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case \$:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 22 of 383 Attorney: Address: Phone Number: Duran Checke Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) Antelope Valley Mutual Water C P.O. Box 43, Topaz, CA 96133 (Address) 530-495-2114 (Telephone number) NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2 2.8

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 23 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/10/05

Date: 3/10/05

Signature

MARK N. ARRIGH - DEBORAH F. ARRIGHI

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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of Summons), and may later object to the jurisdiction of the court or to the place where the action has been broads

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the canonice of appearance and intent to participate.

Exhibit 10

with

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 24 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/1/05 DONALD A BALAAM Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: _ (Title) (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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a notice of appearance and intent to participate.

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 25 of 383

1		
2	IN THE UNITED STATES D FOR THE DISTRICT (DISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.	•
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11		
12	1. I hereby enter my appearance in this su	
13	2. I am filing this document with the Distr	rict Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	'	ny Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Amer United States Department of Justice	ica
20	Environment & Natural Resources Div P.O. Box 756	ision
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cou	art except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am act	ting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	w, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 26 of 383

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3	Address:	
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6	Phone Number:	
7	Fax Number:	Donald Blacon
8		(Signature)
9		(Signature)
10		DONALD A. BALAAM
11		(Printed or typed Name)
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14		(Entity, if any, on whose
15		behalf you are appearing)
16		17 (AMISHELL HANE
17		(Address) 17 JANE (Address) 101, NV 89447
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 27 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 5-11-05

Signature

Marie Balaan

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 28 of 383

1			
2		IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA
3	UNITED STA	TES OF AMERICA,	
4		Plaintiff,	
5	WALKER RI	VER PAIUTE TRIBE,	IN EQUITY NO. C-125
6		Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	Ş	
8	WALKER RI a corporation,	VER IRRIGATION DISTRICT, et al.,)))
10		NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sub	p-proceeding in this case.
12	2.	I am filing this document with the Distri	ict Court at the following address:
13		Chief Deputy Clerk	
14	•	United States District Court for the District of Nevada	
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3.	In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons, I a	im mailing a copy of this document to:	
18		Susan L. Schneider	
19		Attorney for the United States of Ameri United States Department of Justice Environment & Natural Resources Divi	
20		P.O. Box 756 Littleton, Colorado 80160	
21	4		ting) will retain all defenses or objections
22	4.		art except for objections based on a defect
23	11		
24	in the Notice	in Lieu of Summons or in the service of	
25	5.		ing) have retained an attorney to represent
26			w, along with his or her mailing address,
27	telephone nu	mber, and facsimile number:	
28			
	NOTICE	OF APPEARANCE AND INTENT TO PART	ricipate, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 29 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	Mirie Rilaam
8		1/1/he William
9		(Signature)
10		
11		MARIE BALAAM
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		17 CAMPBELL GANE
18		(Address) NV 89447
19		(775) 463 - 204 ((Telephone number)
20		(1010pilotti 11=110 11)
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e 3:73-cv-00127-MMD-CSD Dod	ument 650 Filed 05/19/05 Page 30 of 383
A.P.N. # 10-711-22	RETURN L'EURESIAN — 30 CM
R.P.T.T. \$ 481.00	STEWART TITLE OF 1: 26
ESCROW NO. 030202942 RECORDING REQUESTED BY:	03 SEP 15 PM 3: 26
STEWART TITLE COMPANY MAIL TAX STATEMENTS TO:	HARY C. MILLIGAN COUNT CECORDER
SAME AS BELOW	FEE 41 DEP. K
Welliston W 6 Mil	
WHEN RECORDED MAIL TO:	
11000 Cond Co	(Space Above for Recorder's Use Only)
GRANT, BARGA	
THIS INDENTURE WITNESSETH: That DAVID	
BAMMER, EUSBAND AND WIFE	
	D. D. Tain Call
in consideration of \$10.00, the receipt of which is here and Convey to BRIAN S. CHRISTOF AND	RATHLEEN M. BECKIUS
and to the heirs and assigns of such Grantee forever, all	that real property situated in the
County of Lyon	State of Nevada, bounded and described as: RETO AND MADE A PART HEREOF
Together with all and singular the tenements, hereditan	nents and appurtenances thereunto belonging or in
anywise appertaining, and any reversions, remainders,	Come, issues of profits indeed.
DATE: August 12, 2003	DAVID G. BAMMER
	1 1 2 TD
	EXITELA, R. BANKER
	·
	L HENDRICK
Our ch.	Notary Public - State of Newsde Appointment Recorded in Douglas County Not. 93-2710-6 - EXPINES APPIL 89, 8009
STATE OF 1 COACA) SS.	
COUNTY OF YALVALL }	a-v.B
This instrument was acknowledged before me on by DAVID G. BAMMER and CYNTHIA R	<u>-7- 8-0-3</u>
BAMMER	
Signature (One inch margin on all s	ides of document for Recorder's Use Only)
weren verming the mile market viral	

Case	3.73-cv-	00127	-MMD-CSD	Document (650 I	Filed 05/09/05	Page	31	of 38°
Case	J.1 J-UV-	00121		Document			ı ayc	JI	01 00

STATE OF NUMBER 1) SS.	
This instrument was acknowledged before me or, by	Sept 11, 2003
CRYSTAL PADILLA NOTARY PUBLIC STATE OF NEVADA COMMISSION NO. 90-64618-12 Comm. Expires June 12, 2004	Notary Public 304188

EXHIBIT 'A'

The land referred to herein is situated in the State of Nevada, County of Lyon, described as follows:

All that certain real property being a portion of the NE 1/4 of the NW 1/4 of Section 12, T 10 N, R 23 E, M.D.B. & M., Lyon County, Nevada, described as follows:

Parcel 2, as shown on the Parcel Map for F. M. Fulstone, Inc., recorded in the Official Records of Lyon County, Nevada, on December 7, 1995, as Document No. 188071.

ASSESSOR'S PARCEL NO.: 10-711-22

*TOGETHER WITH all water and water rights, ditch or ditch rights and other rights to water, of any nature whatsoever, appurtenant to the property.

Card #: Name:						YERING	EVADA				ON ACTUA	
Address:	8760 Brian S. Christof Kathleen M. Becklus 18 Old Ranch Rd.	ckius d.					100 PM 175.0				Lyon County No. Claim No.	10-711-22 392 92
	Wellington, NV 89444	89444					O. & M. Locai No. 4					3:
Court Decree:												7 (3
					244 5661	1766 peet 6671 liben	ACRE FEET	TOPAZ RES	BRIDGEPORT RES.			80
PRIORITY	C.F.S.	ACRES	דושם	STORAGE	PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET	CLAIM #	TOTAL ACKES	
NEWS.		6.750	4.2768	99	2.0692	11.840					Water Rt. Acres	O.
TOTAL		6.750				11.840	11.84	11.84	00.		Non Wir Rt. Acres	18.
											Acre Feet Storage	7-1311
I FOA! OFSCRIPTION	Ž							COMMENTS	S:			
Fr. NE 1/4 of NW 1/4	Fr. NE 1/4 of NW 1/4, Sec. 12;							Parcel 2 02/27/03 06/23/03 01/06/04	Parcel 2 PM #188071 02/27/03 - Address Change 06/23/03 - Address Change 01/06/04 - Transferred from card #2036	ge ge om card #203(8 - Bammer	
DOCUMENT HISTORY	ı,											C
DOCUMENT #		DATE	DESCRIPTION	NC						į		
9#	140	04/21/87	Per closi	ng agreen	Per closing agreement between i	F.M. Fulstone, Inc.	nc. & F.I.M. Corp					
#106980	40	04/21/87	F.I.M. Co	rp. to F.M.	F.I.M. Corp. to F.M. Fuistone, Inc.							
#106984	04,	04/21/87	F.I.M. Co	rp. to F.M	F.I.M. Corp. to F.M. Fulstone, Inc.							
#107029	90	04/21/87	F.M. Fuis	tione, inc.	to F.L.M. Corp							55
#107030	04	04/21/87	F.M. Fuls	stone, Inc.	F.M. Fulstone, Inc. to F.I.M. Corp.							
	90	08/12/87	Provision	nal index (sard until Clair	m #3 is amende	Provisional index card until Claim #3 is amended as to its place of use	of use.				
00#	90	06/12/87	Water Ca	ird Index #	¥'s 201, 430, 41	Water Card Index #'s 201, 430, 489, 489-C, & 602 abandoned	abandoned.					
#133306	03	03/01/90	Storage	Water Tra	nsfer form F.h	A. Fulstone, Inc.	. to F.I.M. Corp.,	final adjustmen	Storage Water Transfer form F.M. Fulstone, Inc. to F.I.M. Corp., final adjustment to closing memorandum.	orangum.		
#188017	12	12/07/96	Parcel M	ap of APN	10-711-17 for	F.M. Fulstone,	Inc. (New parcel	s 10-711-22 & 1	Parcel Map of APN 10-711-17 for F.M. Fulstone, Inc. (New parcels 10-711-22 & 10-711-23, 12 acres total)	s total).		
#210944	10	10/10/97	F.M. Fuls	stone, Inc.	, a Nevada Co	rporation to Da	vid G. & Cynthia	R. Bammer, Hu	F.M. Fulstone, Inc., a Nevada Corporation to David G. & Cynthia R. Bammer, Husband & Wife as Joint Tenants	S Joint Tenan	is.	
#304188	60	09/15/03	David G.	& Cynthia	David G. & Cynthia R. Bammer,	husband and w	husband and wife to Brian S. Cristof & Kathleen M. Beckius	istof & Kathlee	n M. Beckius			5/(

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/99/05 Page 34 of 383

UFFICIAL RECORDS LYON COUNTY, NEV. RECORD REQUESTED BY

APN 12-071-23 Document Transfer Tax \$253.50

Title Service & Escrow Co.

Mail Tax Bill to Grantee: 134 HIGHWAY 208 YERINGTON, NEVADA 89447

THIS I AN UNCERTICIAL COPY ""

MARY C. HILLIGAN COURTY RECORDER

SPACE ABOVE FOR RECORDER'S USE ONLY

RAN, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

SYLVIA J. BANTA, a widow

does hereby GRANT, BARGAIN and SELL TO

WARREN G. RUNNERSTROM and RHETA M. RUNNERSTROM, husband and wife as Joint Tenants with the Right of Survivership

all that certain real property being a portion of NW 1/4 of NW 1/4 of Section 26, T 13 N, R 25 B, M.D.B.&M., Ly R County, Nevada, described as follows:

Parcel B, as shown on the Parcel Map for Ronald T Banca, recorded in the Official Records of Lyon County, Nevada, on December 7, 1993 as Document No. 166799.

TOGETHER WITH all tenements, hereditaments and appurt pances thereunto belonging or in anywise appertaining, and any re-ersion, remainders, rents, issues or profits thereof.

DATED SUSPICIT 20, 2003

SYLVIA J. / BANIA

302574

COLUTY OF LYON)

Orner CV 20, 2003 personally appeared before me, N tary Public (or Judge or other authorities Treon, as the case may be), SYLVIA J BARTA who acknowledged to me that she executed the within instrument.

Notary Public

THIS IS AN UNCERTURE YOF I

Notarry Public - State of Nevacia Appointment Recorded in Lyon Costsly Not 02-78325-12 - Expires May 14, 2008

Sop,

Case 3:73-cv-00127-MMD-CSD Document 650 File d թե/ըթ/ին Page 36 of 383

LYON COUNTY, NEV. RECORD REQUESTED BY

WESTERN TITLE CO. INC. 04 JUN -2 PH 4: 11

MARY C. HILLIGAN COUNTY RECORDER

A.P.N.:

12-031-9504

File No:

142-2122912 (NMP)

R.P.T.T.: \$799.50

When Recorded, Mail Tax Statements To: William L. Hawhee and Dianne P. Hawhee 834 W. Bridge Street Yerington, NV 89423

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

James D. Bednark, a married man as his sole and separate property

do(es) hereby GRANT, BARGAIN and SELL to

William L. Hawhee and Dianne P. Hawhee, husband and wife as joint tenants with right of survivorship the real property situate in the County of Lyon, State of Nevada, described as follows:

See Exhibit "A"

Subject to

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 03/29/2004

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 37 of 383

James /	Bulund		_		
James D. Bed	nark				
	plorato				
	NEVAUA)			
D	onver	: 66-			
COUNTY OF	DOUGLAS-)			
This instrument D. Bednark, a	was acknowledge married man as	d before me on his sole and s	eparate prop	erty.	
Joan	Notary Public	٠٠			
(My commission		My Commission	on Expires 12/1	6/2:007	
This Notary Acks 2004 under Esc	nowledgement is a row No. 142-212	ettached to that 12912.	certain Grant,	Bargain Sale Deed	dated March 29,

SEAL AFFIXED

LEGAL DESCRIPTION

A parcel of land in the Northwest 1/4 of Section 22 and Northeast 1/4 of Section 21, Township 13 North, Range 25 East, Mount Diablo Meridian, bounded and described as follows:

Commencing at the NW corner of said Section 22, marked by a standard Bureau of Land Management pipe and brass cap, from which the North 1/4 corner of said Section 22 bears South 89°25'24" East; thence South 00°43'43" West, 1313.83 feet to the NW corner of the South 1/2 of the NW 1/4 of said Section 22, marked by a 5/8" rebar and cap marked PLS 10596, set per Map File No. 192614, Lyon County Official Records, Yerington, Nevada; thence South 00°44'56" West, 582.68 feet to a point on the Westerly line of said Section 22 marked by a 5/8" rebar with cap marked PLS 6200, per Map File No. 172217, Lyon County Official Records, the point of beginning; thence around the parcel as follows:

South 89°41'09" West, 17.46 feet; thence South 08°29'55" West, 125.44 feet; thence South 00°32'08" East, 121.26 feet; thence South 79°27'02" East, 32.12 feet to a point on the Westerly line of said Section 22; thence along said Westerly line, South 00°44'57" West, 433.92 feet; thence South 89°26'34" East, 354.64 feet; thence North 10°49'50" East, 86.64 feet; thence North 13°55'52" West, 118.08 feet; thence North 41°09'51" West, 265.61 feet; thence North 07°29'00" West 189.66 feet; thence North 05°28'41" East, 102.18 feet; thence South 89°41'09" West, 143.74 feet to the point of beginning.

Legal Description appeared previously in Document No. 320471, recorded on May 13, 2004, Official Records of Lyon County, Nevada.

Se 3:73-cv-00127-MMD-CSD L A.P.N#010~081-27 R.P.T.T. \$ 153.40 ESCROW NO. 0:10800246 Full Value	Pocument 650 Filed 05/09/05 Page 39 of a recording requested by: STEWART TITLE COMPANY WHEN RECORDED MAIL TO: MAIL TAX STATEMENTS TO: GRANTEE 1435 SALLY LANE GARDNERVILLE, NV. 89410
THIS INDENTURE WITNESSETH: That THEODOL	RGAIN, SALE DEED RE W. BEILKE AND INES BEILKE, HUSHAND AND REST AND ALFRED J. SPIGARELLI AND DOROTHY TO AN UNDIVIDED 50% INTEREST
	acknowledged, does hereby Grant, Bargain Sell and Convey to
and to the heirs and assigns of such Grantee forever, all the County of Lyon State of Nevada, bound SEE EXHIBIT "A" ATTACHED HERETO I	ded and described as follows:
	UNTERPART IS BEING RECORDED AS ONE DOCUMENT"
"THIS DOCUMENT, EXECUTED IN CO Together with all and singular the tenements, hereditames appertaining, and any reversions, remainders, rems, issue	UNTERPART IS BEING RECORDED AS ONE DOCUMENT"
Together with all and singular the tenements, hereditame	UNTERPART IS BEING RECORDED AS ONE DOCUMENT"

295085

Notary Pablic



On Application 3, 2003 before me Darmal Houseand Notary Public, personally appeared Application Depression 2 Depression Notary who proved to me ont the basis of satisfactory evidence to be the Person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public



TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

PAGE 07

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 41 of 383

A.P.N. # 010-081-27

153.40 R.P.T.T.S (30800246 ESCROW NO. Full Value

RECORDING REQUESTED BY: STEWART TITLE COMPANY WHEN RECORDED MAIL TO: MAIL TAX STATEMENTS TO:

GEANTEE 1435 SALLY LANE GARDNERVILLE, NV. 89410

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That THEODORE W. BEILKE AND INES BEILKE, BUSBAND AND WIFE, AS TO AN UNDIVIDED 50% INTEREST AND ALFRED J. SPIGARELLI AND DOROTHY SPIGARELLI, HUSBAND AND WIFE, AS TO AN UNDIVIDED 50% INTEREST

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to

EVANGELISTA AND LAURIE L. EVANGELISTA, HUSBAND AND WIFE AS JOINT TENANTS

and to the heirs and assigns of such Grantee forever, all that real property situated in the State of Nevada, bounded and described as follows: County of Lyon SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART BEREOF

"THIS DOCUMENT, EXECUTED IN COUNTERPART, IS BEING RECORDED AS ONE DOCUMENT"

Together with all and singular the tenements, hereditaments and appurenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

March 24, 2003 DATE:

> THEODORE W. BEILKE INES BRILKE ALFRED J. SPIGARELLI

> > DOPOTHY SPIGAPELLI ...

COUNTY OF Lot Home

This instrument was acknowledged before me or

Signature Notary Public

ADELE D. KATZ COMM. # 1258205 stary Public - California LOS ANGELES COUNTY Expires March 10, 2004

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 42 of 383

A.P.N. # 010-081-27

R.P.T.T. \$ 153.40 ESCROW NO. 030800246 Full Value RECORDING REQUESTED BY:
STEWART TITLE COMPANY
WHEN RECORDED MAIL TO:
MAIL TAX STATEMENTS TO:

GRANTEE 1435 SALLY LANE GARDNERVILLE, NV. 89410

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That THEODORE W. BEILKE AND INES BEILKE, HUSBAND AND WIFE, AS TO AN UNDIVIDED 50% INTEREST AND ALFRED J. SPIGARELLI AND DOROTHY SPIGARBLLI, HUSBAND AND WIFE, AS TO AN UNDIVIDED 50% INTEREST

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to

GERARDO TEVANGELISTA AND LAURIE L. EVANGELISTA, HUSBAND AND WIFE AS JOINT TENANTS

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of Lyon State of Nevada, bounded and described as follows:

SHE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THIS DOCUMENT, EXECUTED IN COUNTERPART, IS BEING RECORDED AS ONE DOCUMENT"

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

DATE:	MAIGH 24, 2003
STATE OF	
	} ss.
COUNTY O	ire)
COUNTY	**/
This instrum	ent was acknowledged before me on ODORE W. BEILKE and INES BEILKE LIFRED J. SPIGARELLI and DOROTHY
by,	THOUGH T SPICEFFILL AND DOROTHY
SPIGA	KRP177
	
Signature	
Olkname	Notary Public
	14 Craft 1 Cores

2003

THEODORE W. BEILKE

INES BEILKE

ALFRED J. SPIGARELLI

DOROTHY SPIGARELLI

7024633524

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 43 of 383

Clata of California)
State of California	\$ 66.
County of LOS Anglica	}
March 27, 03 before me	Hamid Nessat.
County of LOS Argeles On Mach 27, 03 before me personally appeared THEODORE W	Name and Tall of Officer (e.g., "Jane Doe, Howay Public") BELLKE
	personally known to me proved to me on the basis of satisfactory evidence
HAMID NESSAR	to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(iss), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
COMM. #1385148 NOTIFICATION OF THE PROPERTY O	WITNESS my hand and official agail.
	Bignesure of Notary Public
OPTIO	ONAL • valuable to persure relying on the document and could prevent
Though the information below is not required by talk, it has pro- frequent removes and reattachmen	nt of this form to another document.
Description of Attached Document	
Description of Attached Document	7
Title or Type of Document: GRANT DE	ED (2)
March 24, 20	Number of Pages: UNE SEILKE, ALFREDJ. SPIGIAL THY SPIGIALELLI
Document Date:	LEUXE ALERENT SOLLAR
Signe (6) Other Than Named Above:	STORE, HOLLEY SPICIAL
E DOKE	STRY SPIGIALELLI
Capacity(ies) Claimed by Signer	
0	
SAT ABOVE	Color TeleCopprint
Signer's Name: SEE Above	OF SIGNED
Signer's Name: 460VE	OF Striving Top of thumb nere
Signer's Name: Above Above	Clesickles Rop of Evento nere
Signer's Name: Signer's Name: Above	Rop of Evundo nere
Signer's Name: Signer's Name: Above	Clesickers Top of Evento nero
Signer's Name: Comporate Officer — Title(s):	Top of thurstoners
Signer's Name: Comporate Officer — Title(s): Partner — Limited General Attorney-in-Fact Trustee Guardian or Conservator	Dip of Eurob nere
Signer's Name: Inclividual Corporate Officer — Title(s): Partner — Limited General Attorney-in-Fact Trustee Guardian or Conservator Other:	Pop of Brumb nere
Signer's Name: Corporate Officer — Title(s): Partner — Limited General Attomey-in-Fact Trustee Guardian or Conservator Other: Signer is Representing: HumSelf	OP SIGNED Rop of Evunto nere

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 44 of 383

EXHIBIT 'A' LEGAL DESCRIPTION

That portion of the SW 1/4 of Section 28, Township 12 North, Range 23 Hast, M.D.B. & M., in the County of Lyon, State of Nevada, more particularly described as follows:

Commencing at a 3/4" IRON PIPE with washer stamped PLS 4248, said point is the West 1/4 of Section 28, thence South 89°44'04" East, 1326.59 feet; thence South 00°39'09" West, 6.86 feet to the TRUE POINT OF BEGINNING, thende through the following courses;

South 89*44'04" East, 1326.59 feet;

South 00°43'44" West, 656.96 feet;

North 89*44'04" West, 1325.71 fest;

North 00°39'09" East, 656.95 feet to the TRUE POINT OF BEGINNING.

10-081-27 ASSESSOR'S PARCEL NO.

IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED MARCH 9, 2000, AS FILE NO. 245410, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

"TOGETHER WITH 20 acre feet of water and water rights, ditch or ditch rights and other rights to water, of any nature whatsoever, appurtament to the property".

Charlen a stuvent. Intent on purch
agreement for all apportentant
wester to go w/land
LYON COUNTY. NET
RECORD REQUESTED OFFICIAL RECORDS LYON COUNTY, NEV. RECOPO REQUESTED BY

STEWART TITLE OF 03 APR 24 PM 1: 44

HARY C. HILLIGAN COUNTY RECORDER __OLP.

ase 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 45 of 383 A.P. No. 142-2020123-KM/734-23767 Escrow No. \$153.40 R.P.T.T. WHEN RECORDED MAIL TO: **This document is being recorded in counterpart and shall be considered Grantee 800 N. Carhart Ave one document. Fullerton, CA 92833 MAIL TAX STATEMENT TO: Mr & Mrs Hutchins 800 N. Carhart Ave Fullerton, CA 92833 GRANT, BARGAIN and SALE DEED FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Theodore W. Beilke, an unmarried man and Ines Bellke, an unmarried woman as to an undivided 50% interest (who acquired title as husband and wife as joint tenants) and Alfred J. Spigarelli and Dorothy Spigarelli, husband and wife as joint tenants as to an undivided 50% interest do(⇔) hereby GRANT, BARGAIN and SELL to Leland Hutchins and Karen Hutchins, husband and wife as joint tenants with right of survivorship the real property situate in the County of Lyon, State of Nevada, described as follows: see legal description attached hereto and made a part hereof TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, therefore belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 07/24/2002

Date: 7/26/01

Theodore W. Beilke

Alfred J. Spigarelli

Derothy Spigarelli

Derothy Spigarelli

Ines Beilke

STATE OF NEVADA

: 55.

COUNTY OF DOUGLAS

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 46 of 383

State of California)
^	\$5.
County of Orange	} }
on July 26, 200 before me, L	Auric Ann Warszawski, notary Name and The of Officer et g. Jane Doe, Novembrushic) Spisarelli and Dorothy Spigar Name(a) o Signer(a)
personally appeared Alfred J. S	Spisarelli and Dorothy Spigar
EAURIE ANN WARSZAWSKI Commission # 1276E/3 Notary Public - Coffornia E Overage Courry My Correct Expires Oct 4, 2004	to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
Place Notery See! Abbys	WITNESS my hand and official seal.
25	TIONAL
Though the information below is not required by (a)	w, it may prove veluable to persons relying on the document and reattachment of this form to another document.
Description of Attached Document	
Title or Type of Document:	
,	
Document Date:	Number of Pages;
Signens) Other Than Named Above:	
Capacity(les) Claimed by Signer	
Signer's Name:	RIGHT THUMBURINT
☐ Individual	O≯ SIGNER Top of thumb here
☐ Corporate Officer — Title(s):	
☐ Partner — ☐ Limited ☐ General	
☐ Attorney in Fact	1
□ Trustee	
☐ Guttrdian or Conservator	
Other:	
Signer ts Representing:	RIGHT THUMBURENT OF SIGNER Top of thumb here

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 47 of 383

A.P. No. .

10-081-28

Escrow No.

142--2020123-KM/

RPTT

\$153.40

WHEN RECORDED MAIL TO:

Grantee

800 N. Carhart Ave Fullerton, CA 92833

MAIL TAX STATEMENT TO:

Mr & Mrs Hutchins

800 N. Carhart Ave

Fullerton, CA 92833

** This document is being recorded in counterpart and shall be considered one document.

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Theodore W. Beilke, an unmarried man and Ines Beilke, an unmarried woman as to an undivided 50% interest (who acquired title as husband and wife as joint tenants) and Alfred J. Spigarelli and Dorothy Spigarelli, husband and wife as joint tenants as to an undivided 50% interest

do(es) hereby GRANT, BARGAIN and SELL to

Leland Hutchins and Karen Hutchins, husband and wife as joint tenants with right of survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

see legal description attached hereto and made a part hereof

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 07/24/2002

Date: 7/27/02

Theodor W Brille

Alfred J. Spigarelli

Dorothy Spigarelli

nes Beilke

county of LOS)
couglas angeles.

STATE OF NEVADA

CALIFORNY

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 48 of 383

Tuly 25, 200 by
Theodore M. Beilke Addition

Action Public

Notary Public

(My commission expires: DEC 24, 2002)

HAMID NISAR
COMM. 61265984
NOTARY PUBLIC - CALPORNA E
LOS ANGELES COUNTY
COMM. EXP. DEO. 24, 2602

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 49 of 383

A.P. No.

10-081-28

Escrow No.

142-2020123-KM/

R.P.T.T.

\$153.40

WHEN RECORDED MAIL TO:

Grantee

800 N. Carhart Ave Fullerton, CA 92833

Fullerton, CA 92833

MAIL TAX STATEMENT TO: Mr & Mrs Hutchins 800 N. Carhart Ave

**This document is being recorded in counterpart and shall be considered one document.

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Theodore W. Beilke, an unmarried man and Ines Bellke, an unmarried woman as to an undivided 50% interest (who acquired title as husband and wife as joint tenants) and Alfred J. Spigarelli and Dorothy Spigarelli, husband and wife as joint tenants as to an undivided 50% interest

do(es) hereby GRANT, BARGAIN and SELL to

Leland Hutchins and Karen Hutchins, husband and wife as joint tenants with right of survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

see legal description attached hereto and made a part hereof

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 07/24/2002

Date: 7-30-02
Signed

Theodore W. Beilke

Alfred J. Spigarelli

Dorothy Spigarelli er Beilke

STATE OF NEVADA

COUNTY DOUGLAS 1 ; ss.

)

See attached Acknowledgment

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 50 of 383

ate of California ounty of Los Angele	<u>5 </u>
n Tuly 30 2002, before me, _	Adele D. Koutz, Notary Public
	personally known to me proved to me on the basis of satisfactory evidence
ADELE D. KATZ COMM. # 1253205 Notary Public - California LOS ANGELES COUNTY Ny Commission Expires Moreh 10, 2004 (to be the person(*) whose name(*) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(lee); and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
	WITNESS my hand and official seal.
	a lalla X Vato
Place Notary Seal Above	Signature of Motory Public
	ORTIONAL -
Though the information below is not required be and could prevent fraudulent removi	by law, it may prove valuable to persons relying on the document all and reattechment of this form to enother document.
Description of Attached Document Title or Type of Document:	Bargain + Sale Deed
Document Date: 7/24/02	Number of Pages:
Signer(s) Other Than Named Above: The	doce W. Bellke, Alfredt. Spigacelli + Dorothy spigarelli
Capacity(les) Claimed by Signer	O STATE OF THE STA
X Individual	Top of thumb here
☐ Corporate Officer — Title(s):	
☐ Partner — ☐ Limited ☐ General	
Attorney in Fact	
☐ Injstee	
Other:	Top of mumb here Top of mumb
•	

Notary Public (My commission expires:)		÷	Theodore W. Belike and Alfred J. Spigarelli and Dorothy Spigarelli and Ines Belike.	
				The state of the s
Selection to the selection of the select	State of the state			A TOTAL CONTROL OF THE STATE OF
				and the second of the second o

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 52 of 383

LEGAL DESCRIPTION

That portion of the SW 1/4 of Section 20, Township 12 North, Range 23 East, M.D.B.&M., located in the County of Lyon, State of Nevada, more particularly described as follows:

Commencing at a 3/4" iron pipe with washer stamped PLS 4248, said point being the West 1/4 of Section 28, thence South 89°44'04" East, 1326.59 feet; thence South 00°39'09" West, 663.81 feet to the true point of beginning, thence through the following courses;

1. South 89°44'04" East, 1325.71 feet;

South 00°43'44" West, 995.43 feet to a non-tangent curve concave Northerly having a radius of 293.75 feet and a radial bearing of North 02°21'03" West;

3. Northwesterly along said curve an arc length of 163.20 feet and a central angle of 31°50'03";

4. North 60°35'49" West, 857.21 feet to the beginning of a non-tangent curve concave Northeasterly having a radius of 979.32 feet and a radial bearing of North 29°20'45" East;

 Northwesterly along said curve having an arc length of 494.13 feet and a central angle of 28°54'33";

North 33°38'23" West, 104.88 feet;

7. North 00°39'10" East, 117.15 feet to the True Point of Beginning.

Legal Description appeared previously in Document No. 245410, recorded on March 9, 2000, Official Records of Lyon County, Nevada.

285601

GEOIGIAL RECORDS LYSH COUNTY, NEV. RECO常 REQUESTED BY

Title Service & Escrow Co. 02 NOV -8 PM 3: 26

COUNTY RECORDER

2632.50 ESCROW NO. 040 8 00057 RECORDING REQUESTED BY: STEWART TITLE COMPANY MAIL TAX STATEMENTS TO: SAME AS BELOW

7024633524

WHEN RECORDED MAIL TO: GRANTEE 1008 GEORGIA LANE GARDNERVILLE, NV 89460

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That THEODORE W. BEILKE, A MARRIED MAN INES BEILKE, An Unmarried Woman, as to an undivided 50% interest; and ALFRED J. SPIGARELLI and DOROTHY SPIGARELLI, busband and wife, as to an undivided 50%

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to SOVEREIGN ENTERPRISES, LLC, A NEVADA LIMITED LIABILITY COMPANY

and to the heirs and assigns of such Grantee forever, all that real property situated in the County of Lyon State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

DATE: January 23, 2004

Signature

	THEODORE W. BEILKE
	INES BEILKE
	ALFRED J. SPIGMRELLI
	Muty Sugarelle
	DOROTHY SPIGAREALI
STATE OF	
COUNTY OF) ss.
This instrument was acknowledge by THEODORE W. BEILER	d before are on
and ALFRED J. SPIGA	RELLI and DOROTHY
SPIGARELLI	

Notary Public (One inch margin on all sides of document for Recorder's Use Only)

State of California }
County of Orange } s

On FORMAND 2004 before metamanthorn month Notary Public, personally appeared From Todorn Spicare Spicare who proved to me ont the basis of satisfactory evidence to be the Person(s) whose name(s) is are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Notary Public.



CRAINT, BARGAIN SALEDEELD TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

DATE OF DOCUMENT

R.P.T.T. S 2632.50	
ESCROW NO. 04 0800057	_
RECORDING REQUESTED BY:	
STEWART TITLE COMPANY	
MAIL TAX STATEMENTS TO: SAME AS BELOW	
SAME AS BELOW	

WHEN RECORDED MAIL TO: GRANTEE 1008 GEORGIA LANK GARDNERVILLE, NV 89460 Not Compared white County Recorder

04 FEB 24 PM 2: 57

MARY C. HILLIGAN COUNTY RECORDER

FEE _____ 02P. ___

314497

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That THEODORE W. BEILKE, A MARRIED MAN and INES BEILKE, An Unmarried Woman, as to an undivided 50% interest; and ALFRED J. SPIGARELLI and DOROTHY SPIGARELLI, husband and wife, as to an undivided 50% in consideration of \$10.00, the receipt of which is bereby acknowledged, does hereby Grant, Bargain Soll and Convey to SOVEREIGN ENTERPRISES, LLC, A NEVADA LIMITED LIABILITY COMPANY

and to the heirs and assigns of such Grantee forever, all that real property situated in the

County of Lyon State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appartenances thereunto belonging or in anywise appertaining, and any reversions, remainders, rents, issues or profits thereof.

DATE: January 23, 2004

Signature

THIS DOCUMENT, EXECUTED IN COUNTERPART IS BEING RECORDED AS ONE DOCUMENT

THEODORE W. BELLEE

INES BEILKE

ALFRED J. SPIGARELLI

DOROTHY SPIGARELLI

and ALFRED J. SPIGARELLI and DOROTHY
SPIGARELLI

Notary Public (One inch margin on all sides of document for Recorder's Use Only)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 56 of 383

State of California)
	as.
County of	J Publ
On 2/21/04 before me	Hamd Nessen and Fory Hamd one Brown Comments and Party Newson of Brown to Marry Therefore life is thrown to mar
The same	Hand and the of Other In a Jime Con, Heavy Adda.
personally appeared	W · Dest (ICC)
	personally known to me
	proved to me on the basis of satisfactory evidence
	to be the person(s) whose name(s) is/aru
	subscribed to the within instrument and acknowledged to me that he/she/they executed
	the same in his/har/their authorized
	capacity(les), and that by his/her/their
	signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s)
	acted, executed the instrument.
HAMO NESSAR P	
PORT OF HUMANIPURE CHECKET	WITNESS my hand and others seal.
W. Com Lury Hr. 11, 2009	The state of the s
	Departure of Natury Public
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Description of Attached Document	
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Title or Type of Document: (7)	200
Document Date: 1/23/04	Number of Pages: 2
Ines	Beilke, Alfred Spigar
Signer(s) Other Than Named Above: 400	Dotothy Spiegovilli
Capacity(les) Claimed by Signer	0
Signer's Name: <u>5ee abou</u>	ALCON I PROPERTY AND A CONTROL OF THE PROPERTY AND A CONTROL OF TH
•	Top of thurst here
707 (In adjusted to all	
// Individual	
Individual Corporate Officer — Title(s): □ Partner — □ Limited □ General	
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Individual Corporate Officer — Title(s): Partner — Limited General Allorney-in-Fact Trustee Guardian or Conservator Other:	
Individual Corporate Officer — Title(s): Partner — Limited General Attorney-In-Fact Trustee Guardian or Conservator Other: Signer is Representing:	INCHI I NUMBPRINT OF GISNER Top of Brures here

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 57 of 383

R.P.T.T. S 2632.50
ESCROW NO. 040800057
RECORDING REQUESTED BY:
STEWART TITLE COMPANY
MAIL TAX STATEMENTS TO:
SAME AS BELOW

7024633524

WHEN RECORDED MAIL TO: GRANTEE 1008 GEORGIA LANE GARDNERVILLE, NV 89460

(Space Above for Recorder's Use Only)

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That THEODORE W. BEILKE, A MARRIED MAN and INES BEILKE, An Unmarried Woman, as to an undivided 50% interest; and ALFRED J. SPIGARELLI and DOROTHY SPIGARELLI, husband and wife, as to an undivided 50%

in consideration of \$10.00, the receipt of which is hereby acknowledged, does hereby Grant, Bargain Sell and Convey to SOVEREIGN ENTERPRISES, LLC, A NEVADA LIMITED LIABILITY COMPANY

and to the heirs and assigns of such Grantee forever, all that real property situated in the

County of Lyon

State of Nevada, bounded and described as:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversions, remainders, tents, issues or profits thereof.

DATE: January 23, 2004

THEODORE W. BEILKE

Belbe

INES BEILKE

ALFRED J. SPIGARELLI

DOROTHY SPIGARELLI

COUNTY OF LOS Angeles)

This instrument was acknowledged before me on February 6,2004, by, THEODORS W. THEODORS IN THE BEILKE AND ACCOUNTS OF THE BEILE AND BOROTHY

ADELE D. KATZ
COMM. # 1253205
Notory Public - Colifornio
LOS ANGELES COUNTY
My Commission Expires Morch 10, 2004

Signature adelo D Kachy

Notary Public (One inch margin on all sides of document for Recorder's Use Only)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 58 of 383

EXHIBIT 'A' LEGAL DESCRIPTION

That portion of the N 1/2 of Section 28, Township 12, North, Range 23 East, M.D.B.. & M., in the County of Lyon, State of Nevada, more particularly described as follows:

Beginning at a 5/8" rebar and cap stamped PLS 8659, said point being the Section corner common to 21, 22, 27 and 28, thence through the following courses:

South 00°52'06" West along the Section line, 1319.96 feet;

North 89°34'25" West, 2657-19 feet;

South 00°43'44" West, 1334.26 feet;

North 89°44'04" West, 1326.59 feet;

North 00°39'02" East, 2669.10 feet to the North line of Section 28;

South 89°24'46" East, 3990.57 feet to the TRUE POINT OF BEGINNING.

ASSESSOR'S PARCEL NO. 10-081-26

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED MARCH 9 2000, AS FILE NO. 245410, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

"TOGETHER WITH 313 acre feet of water rights per Walker River Irrigation District Card No. 3170."

ATION DISTRICT YERINGTON, NEVADA WALKER RIVER I

Gerardo & Laurie L. Evangelista

14490

Card #: Name

Division #:

Wellington, NV 89444

Court Decree:

PRIORITY

TOTAL

NEWL

214 Artesia Rd.

Address:

O. & M. Localino.

Pt 59, 47,8267 10-081-27 588 Lyon County No. ndex No. Claim No.

User #

Case

3:7

Claim User#

Colony

BRIDGEPORT RES

TOPAZ RES. ACRE FEET

Acre Feet Storage Non Wtr Rt. Acres Water Rt. Acres TOTAL ACRES CLAIM# 8 ACRE FEET 41.18

/-0<u>\$</u>

122

+	4		+			
	ACRE FEET	APPORTIONED			41.18	
	REQUIRED	TOTAL		107	41,184	
	ACRE FEET REQUIRED	PER ACRE		2.0592		
	DAYS	STORAGE		4.) (D		
		Σ Σ		4.2769		
	ACRES			20.000	20.000	
		e) E				

Transferred from card #56972 - Walker River Land Corp. Transferred from card #42302 - Red Creek Ranch, Inc. 3/25/00 - Transferred from card #55968 - WRLC COMMENTS

Pt. of NE 1/4 of SW 1/4, Sec. 28; T. 12 N., R. 23 E.

LEGAL DESCRIPTION

CSD

Doc

5/28/03 - Transferred from card #3173 - Belike & Spigarelli 11/27/01 - Transferred from card #3171 - Beilke

04/26/04 - Changed Address

DOCUMENT HISTORY.		
DOCUMENT #	DATE	DESCRIPTION
#51065	01/10/80	Associated Ranch Management to Trinox Company (all except 38.88 acres).
#173436	07/14/94	Trinox Company to Pruett Ranches, Inc. a Nevada Corporation.
		The second of the Advisory of the Advisory Complete Description in a National Company of the Com

Reconveyance Deed - Marian Pinkerton, Treasurer & Ex-Officio Tax Receiver and Trustee for Lyon County Nevada to Pruett Ranches, Inc. a Nevada Pruett Ranches, Inc., a Nevada Corporation to Red Creek Ranch, Inc., a Colorado Corporation - Grantor Reserving all Water Rights. Water Rights & Easement Deed - Pruett Ranches, Inc., a Nevada Corporation to Red Creek Ranch, Inc., a Colorado Corporation. Record of Survey in Support of Boundary Line Adjustment for Pruett Ranches, Inc., a Nevada Corporation. Record of Survey to Support Boundary Line Adjustment for Pruett Ranches, Inc., a Nevada Corporation. Boundary Line Adjustment Deed (creating parcel 10-081-04 & 05). Record of Survey for Pruett Ranches, Inc., a Nevada Corporation. Deed to Correct Legal Description on Document #173436. Corporation 01/16/98 01/16/98 01/16/98 12/29/97 12/29/97 01/16/98 12/31/97 12/31/97 #213638 #213682 #214316 #214322 #214323 #214324 #213752 #213637

ed 05/09

650

Red Creek Ranch, Inc. a Colorado Corporation to Walker River Land Corp., a Nevada Corporation. Excepting & Reserving unto Grantor all water Water Rights Deed - Red Creek Ranch, Inc., a Colorado corporation to Walker River Land Corp. a Nevada corporation Land Patent (creates APN 10-081-13) rights 12/31/98 06/11/98

A Map of Division into Large Parcels for Red Creek Ranch, Inc., a Colorado Corporation.

03/31/98

#216883 #219988

Exhibit 19

#228078

#228079 #245089 #245090 #245410 #245411

Walker River Land Corp., a Nevada corporation to Theodore W. & Ines Beilke, husband and wife as Joint Tenants, an und. 60% int., and Alfred J. & Record of Survey in support of a Boundary Line Adjustment for Walker River Land Corp & Hunewill Land & Livestock Co. **Boundary Line Adjustment Deed** 12/31/98 02/29/00 02/29/00 03/09/00

Water Rights Deed - WRLC to Theodore W. & Ines Beilke, husband and wife as Joint Tenants, an und. 50% int., and Alfred J. & Dorothy Spigarelli, 🔾 Dorothy Spigarelli, husband and wife, as Joint Tenants, an und. 50% int., all as tenants in common husband and wife, as Joint Tenants, an und. 50% int., all as tenants in common 03/09/00

383

WRID 06/30/0

3:73-cv-00127-MMD-CSD	Document 650	Filed 05/09/05	Page 60 of 383
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DOCUMENT HIS		
DOCUMENT #	DATE	DESCRIPTION
#	11/27/01	Card #3171 split into two cards to make separate cards for APN #'s 10-081-27 & 10-081-28
#	11/27/01	Beilke card #3171 split into cards #3172 & 3173
#295085	04/24/03	Theodore W. & Ines Beilke, husband and wife, as to an und. 50% int. and Alfred J. & Dorothy Spigarelli, husband and wife as to an und. 50% int. to
		Serando & Ladrie L. Evangelista, nusbarid and wile as Joint Tenants

WRID 06/30/04

						YERINGI	YERINGTON, NEVADA	 				5.
Card #; Name:	26402 Leland & P	26402 Leisind & Karen Hutchins			; ;						Index No. Lyon County No. Claim No.	Pt 68, 47, &267 OS 10-081-28
Address: Court Decree:	800 N. Carhart Ave. Fullerton, CA 9283	800 N. Carhart Ave. Fullerion, CA 92833				¥ •	O. & M. Local No. 1				Ditch	(3-Cy
PRIORITY		ACARE	Tug	DAYB	AOREPHE PER ACRE	AORE PEET REQUINED. TOTAL	ACREPERT APPORTIONED	TOPAZ NES.	BRIDGEPONT BES. ACREPEET	CLAM	TOTAL ACRES	20.98
NEWL		18.000	4.276	99	2.0692	32.847	32.98	32.96	00	; c	Water At Aeres Non WW At Aeres	28-8/1
LEGAL DESCRIPTION)#: #:				:			COMMENTS	1		Ann Ford Dange	71 - 2
Pt. of NE 114 of SW 114 Pt. of SE 114 of SE 114, T. 12 N., R. 23 E.	of NE 1/4 of SW 1/4, of SE 1/4 of SE 1/4, Sec. 28; T. 12 N., R. 23 E.	## ## **		, s				Transferred Transferred 372400 - Ala 372600 - Tra 1127101 - Tr	Transferred from card \$42302 - Red Creek Ranch Transferred from card \$66972 - Walker River Land 3/24/00 - Also APN 19-081-28 3/26/00 - Transferred from card \$66968 - WRLC 1/27/01 - Transferred from card \$7171 - Belike \$12/16/02 - Transferred from card \$171 - Belike \$	1414 三月男	from card \$42302 - Red Creek Ranch, Inc. from card \$56972 - Walker River Land Corp. o APN 19-081-28 nsferred from card \$56968 - WRLC ansferred from card \$7171 - Belike ansferred from card \$7171 - Belike & Sprigareli	X
DOCUMENT HISTORY	NY:											
DOCUMENT #		DATE	DESCRIPTION	¥.								
#61065		01/10/80	Associate	ed Ranch	fanagement to	Trinox Compa	Associated Ranch Management to Trinox Company (all except 38.88 acres)	.88 acres).				
#173436		07/14/94	Trinox C.	ompany to	Pruett Ranche	Trinox Company to Pruett Ranches, Inc. a Nevada Corporation.	a Corporation.					50
#213638		12/28/97	Roundary	Record of Survey in Suppo	stment Deed 6	creating parcel	Deed (creating parcel 10-081-04 & 05).	uen Kanches, i	Record of Survey in Support of Boundary Line Adjustment for Pruen Kanches, Inc., a Nevada Corporation Roundary Inc Adjustment Deed (creating parcel 10-081-04 £ 05)	orporation.		
#213682		12/3 1/97	Record o	Record of Survey to Suppo		idery Line Adju	stment for Prue	If Ranches, Inc.	rt Boundary Line Adjustment for Pruett Ranchea, Inc., a Nevada Corporation.	oration.	÷	
#213762		12/31/97	Reconveyan	Reconveyance Deed - Maria Corporation.		erion, Tressure	er & Ex-Officio T	ax Receiver and	d Trustee for Lyc	on County No	evada to Pruett Rar	in Pinkerton, Tressurer & Ex-Officio Tax Receiver and Trustee for Lyon County Nevada to Pruett Ranches, Inc. a Nevado
#214316		01/16/98	Record o	Record of Survey for Pruett	or Pruett Ranch	tes, Inc., a Neva	Ranches, Inc., a Nevada Corporation.					
#214322		01/16/98	Deed to	Sorrect Leg	al Description	Deed to Correct Legal Description on Document #173436.	#173436.)
#214323		0 1/16/98	Pruett Ra	Prueti Ranches, Inc., a Nevi	, a Nevada Co	rporation to Re	d Creek Ranch,	Inc., a Colorado	Corporation	Jrantor Rese	ida Corporation to Red Creek Ranch, Inc., a Colorado Corporation - Grantor Reserving all Water Rights	hts.
#214324		86/91/10	Water Ri	Water Rights & Easement D A Man of Division into 1 ard		ruett Ranches, ils for Red Cres	Water Rights & Easement Deed - Pruett Ranches, Inc., a Nevada Corporation to Red Cree & Man of Division into Large Parcels for Red Creek Ranch Inc. a Colorado Corporation	Corporation to I	Red Creek Ranci	n, Inc., a Colc	eed - Pruett Ranches, Inc., a Nevada Corporation to Red Creek Ranch, Inc., a Colorado Corporation. • Parcets for Red Creek Ranch Inc. a Colorado Corporation	
#219988		06/11/98	Land Pat	ent (create	Land Patent (creates APN 10-081-13)	(c))
#228078	:	12/3/1/98	Red Cree	Red Creek Ranch, Inc. a Col rights	nc. a Colorado	Corporation to	Walker River L.	and Corp., a Nev	vada Corporation	n. Excepting	lorado Corporation to Walker River Land Corp., a Nevada Corporation. Excepting & Reserving unto Grantor all water	Grantor all water
#228079		12/3 1/98	Water RI	Water Rights Deed - Red Cr	Red Creek Ra	inch, inc., a Col	orado corporati	on to Welker RI	eek Ranch, Inc., a Colorado corporation to Walker River Land Corp. a Nevada corporation	Nevada con	poration	9
#246088		02/22/00	Record	Survey In	support of a	Boundary Line	Adjustment for \	Nather River La	Record of Survey in support of a Boundary Line Adjustment for Walker River Land Corp & Hunewill Land & Livestock Co.	will Land & L	Ivestock Co.	
#245090		02/28/00	Boundar	Boundary Line Adjustment) : : !
#245410		03/08/00	Walker R Dorothy	Walker River Land Corp., a Dorothy Spigarelli, husband	Corp., a Nevad husband and w	a corporation to Mie, as Joint Te	o Theodore W. &	Ines Belike, ht.	Walker River Land Corp., a Nevada corporation to Theodore W. & Ines Belike, husband and wife as Dorothy Spigarelli, husband and wife, as Joint Tenants, an und. 60% int., all as tenants in common	as John Ten	Nevada corporation to Theodore W. & Ines Belike, husband and wife as Joint Tenants, an und. 69% int., and Alfred I and wife, as Joint Tenants, an und. 69% int., all as tenants in contrion	nt., and Alfred J. &
#24K411		03/09/00	Water Rh	Water Rights Deed - WRLC	Water Rights Deed - WRLC to The	odore W. & Ine	s Beilke, husban	to Theodore W. & Inea Belike, husband and wife as Ja	oint Tenante, an	und. 60% Int	to Theodore W. & Inca Beilke, husband and wife as Joint Tenante, an und. 60% int., and Affred J. & Dorothy Spigarelli,	orothy Spigareill,

	Ca	as	e	3: /3 = 3 = 3 = 3 = 3 = 3 = 3 = 3 = 3 = 3	cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 62 of 383
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			ards to make separate cards for APN #'s 10-081-27 & 10-081-28	Sellke, an u	
		age Water.	ike separa	172 & 3173 an & Ines E garelli, hus	
		on of Slorage Water	ards to m	o cards #3 married m orothy Spi	
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	DATE	07/10/00	11/27/01	11/08/01	
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DOCUMENT HISTORY:	ENTO	70	1		
DOCUME	DOCUMENT #	#200070		#286601	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 63 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to rne.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-14-05

PEGGG BITLEN Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a fail are to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1				
2	IN THE UNITED STATES D FOR THE DISTRICT O			
3	UNITED STATES OF AMERICA,)		
4 5	Plaintiff.			
	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.))		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))		
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub	-proceeding in this case.		
12	2. I am filing this document with the Distri	ct Court at the following address:		
13	Chief Deputy Clerk United States District Court for the District of Nevada			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu o		
17 18	Summons, I am mailing a copy of this document to:			
19	Susan L. Schneider Attorney for the United States of Americ	: 2a		
20	United Štates Department of Justice Environment & Natural Resources Divis			
21	P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below.	, along with his or her mailing address,		
27	telephone number, and facsimile number:			
28				
1	1			

Case 3:7\$-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 65 of 383 Attomey: Address: Phone Number: Fax Number: (Signature) (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 66 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-14-05 KEN BINER Printed/Typed Name If you are acting on behalf of any entity, identify that you are

(Title)

KEN + PEGGY BITTER THUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in f Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 67 of 383

1.				
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA		
3	UNITED STATES OF AMERICA.)		
4	Plaintiff.			
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	vs.)		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,) }		
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE		
11	 I hereby enter my appearance in this su 	ab-proceeding in this case.		
12 13	2. I am filing this document with the Dist	•		
14	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16		my Waiver of Service of Notice in Lieu o		
17	Summons. I am mailing a copy of this document to:			
18	Susan L. Schneider			
19	Attomey for the United States of Amer United States Department of Justice			
0 2	Environment & Natural Resources Div P.O. Box 756	ision		
21	Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe			
24	in the Notice in Lieu of Summons or in the service of	the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below	v, along with his or her mailing address,		
7	telephone number, and facsimile number:			

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 68 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) KEN BITTER (Printed or typed Name) KEN + PEGGS BIREN (Entity, if any, on whose Theus behalf you are appearing) P.O. KOX 250 GERINGTON NU (Address) 775-463-4239 (Telephone number)

WHEN RECORDED MAIL TO:

Law Offices of John P. Schlegelmilch, Ltd. 30 Broadway Ave.
Yerington, NV 89447

Grantee (and mail Tax Statement to): THOMAS BOBRICK, Trustee of The THOMAS BOBRICK TRUST 18 Maple Drive Yerington, NV 89447

APN # 012-071-28 RPTT #-8/7

OUITCLAIM DEED

THIS INDENTURE, made this 4th day of April, 2003, by and between THOMAS BOBRICK, a single man, hereinafter called Party of the First Part and, THOMAS BOBRICK, Trustee of the THOMAS BOBRICK TRUST, dated the 4th day of April, 2003, hereinafter called Party of the Second Party.

WITNESSETH:

That the said Party of the First Part hereby conveys to Party of the Second Party, its heirs, successors, and assigns, all of the right, title, and interest in and to that certain real property, commonly known as 152 Hwy 208, situate in the County of LYON, State of Nevada, described as follows::

All that certain real property being a portion of the west ½ of Section 26, Township 13 North, Range 25 E MB&M Lyon County, Nevada described as follows, Parcel C as shown on the Parcel Map for Thomas and Ruth E. Bobrick recorded in the official records of Lyon County, Nevada on March 28, 1996 as Document #191775.

PER NRS 111.312, THE LEGAL DESCRIPTION APPEARED PREVIOUSLY IN DEED NO. 270997 RECORDED ON January 15, 2002.

APN 012-071-28

1

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 70 of 383

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances, unto the Parties of the Second Part and to their assigns forever.

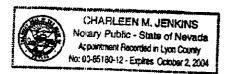
IN WITNESS WHEREOF, the Grantor has hereunto set his hand the day and year first above written.

TOM BOBRICK

ACKNOWLEDGMENT

STATE OF NEVADA) :ss.
COUNTY OF LYON)

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year hereinabove written.



NOTARY PUBLIC

Case 3:73-cv-00127-MMD-CSD Document 650 Filed Q5/09/05 Page 71 of 383

294071

OFFICIAL RECORDS LYON COUNTY, NEV. RECORD REQUESTED BY

John Schlegelmick LTD 03 APR-7 PM 4: 33

MARY C. HILLIGAN COUNTY RECORDER

FEE 16 0EP. Dee

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 72 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Sammons.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

Steven & Susan Bohnen

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service 2 Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,)
4	Plaintiff,
5	WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B
7	vs.
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	2. I am filing this document with the District Court at the following address:
13	Chief Deputy Clerk
14	United States District Court for the District of Nevada
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:
18 19	Susan L. Schneider Attorney for the United States of America
20	United States Department of Justice Environment & Natural Resources Division
21	P.O. Box 756 Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,
27	telephone number, and facsimile number:
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 74 of 383 Attomey: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) Steven a Susan . (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 75 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3//5/05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

Steven & Susun Ronner Family V

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1		
2	IN THE UNITED STATES I FOR THE DISTRICT (
3	UNITED STATES OF AMERICA,)
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7 8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,) }
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	I hereby enter my appearance in this sul	b-proceeding in this case.
12	2. I am filing this document with the Distr	
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:	
1.8	Susan L. Schneider	
19 20	Attorney for the United States of Ameri United States Department of Justice Environment & Natural Resources Divi	
21	P.O. Box 756 Littleton, Colorado 80160	21011
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cou	•
24	in the Notice in Lieu of Summons or in the service of the	•
25	5. If I (or the entity on whose behalf I am acti	
26	me in these proceedings, I identify that attorney below	
27	telephone number, and facsimile number:	, 5 addiess ,
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 77 of 383 Attorney: Address: Phone Number: Fax Number: (Printed or typed Name) Steven & Susan B (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 78 of 383

APN: 14-521-10 RPTT \$0.00 No. 6

Mail Tax Statements to: 81 Pete Hendrichs Road Yerington, NV. 89447

After Recording Mail to: William L. Carpenter 215 W. Bridge St., Suite 3 Yerington, NV. 89447 William Osepenter, Esq. 04 JAN 12 PM 1:04

MARY C. HILLIGAN COUNTY RECORDER

FEE 150 DEP. MK

QUITCLAIM DEED

THIS INDENTURE, made this 9Th day of Jordon, 2004, between STEVEN L. BOHNER and SUSAN SCRIVNER BOHNER, Husband and Wife, parties of the first part, and STEVEN BOHNER and SUSAN BOHNER, Trustees, under the terms of THE STEVEN BOHNER and SUSAN BOHNER FAMILY TRUST, dated this day written above, the parties of the second part.

WITNESSETH:

That the said parties of the first part, in conformity with the terms of the aforesaid Declaration of Trust, do by these presents remise, release and forever quitclaim unto the said parties of the second part, their successors and assigns forever, all their right, title and interest in and to the certain lot, piece or parcel of land situate, the County of Lyon, State of Nevada, more particularly bounded and described as follows, to wit:

Per NRS 111.312, the legal description appeared previously in Deed #287186 and recorded December 12, 2002 in Lyon County Records.

All that certain real property being a portion of the Northwest 1/4 of the Northwest 1/4 of Section 7, Township 13 North, Range 26 East, M.D.B.&M., Lyon County, Nevada, described as follows:

Parcel B as shown on the Parcel Map for Beryl Tamagni, recorded in the Official Records of Lyon County, Nevada, on November 19, 1991, as Document No. 146830.

EXCEPTING THEREFROM the South 25 feet as reserved by Raymond E. Tamagni and Janice E. Tamagni in that certain Gift Deed recorded in the Official Records of Lyon County, Nevada on June 17, 1992, as Document No. 152644.

Page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 79 of 383

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances, including easements and water rights, if any, thereunto belonging or in anyway appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof.

TO HAVE AND TO HOLD the said premises, together with the appurtenances, unto the said parties of the second part and their successors and assigns forever.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hand the day and year first above written.

STEVEN L. BOHNER

SUSAN SCRIVNER BOHNER

STATE OF NEVADA

COUNTY OF LYON

This instrument was acknowledged before me anthis

day of Januar

2004

by Steven L. Bohner and Susan Scrivner Bohner.

Notary Public

JANICE SHIPLEY
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 50-3-56-12 - Expires April 22, 2007

TION DISTRICT WALKER RIVER

YERINGTC..., AEVADA

O. & M. Local No. 3

Steven Bohner & Susan Bohner, Trustees Steven & Susan Bohner Family Trust

Division #:

Card #: Name: 81 Pete Hendrichs Rd. Yerlington, NV 89447

Address:

C-125, P. 44; Tamagni, Antone

Court Decree:

Index No. ROVISIONAL

14-521-10 P. of 34 2525 Lyon County No.

-C/ 15.00.00 15.00.000 Nicho! Merritt Acre Feet Storage Claim No. User # Ditch

		O ME ACRES	Water Ht Leren		Non Wir Rt. Acres
	:	# WINTO	35		
	TOPAZ RES. BRIDGEPORT RES.	ACRE FEET		09'	
	TOPAZ RES.	ACRE FEET		1.30	
	ACRE FEET	APPORTIONED		1.90	
	REQUIRED	TOTAL	1,300	1.900	
9	ACRE FEET REQUIRED	PER ACRE			
	DAYS	STORAGE			
	7	1136	3.2076		
		ACHES	10.000	10.000	
		ei L	.120	120	
	2000	: IKOK	50.01	TOTAL	

LEGAL DESCRIPTION:	COMMENTS:
Fr. NW 1/4 of NW 1/4, Section 7; T. 13 N., R. 26 E.	6/4/2000 - Transferred from card #34608 - Gerald Menesini 1/16/03 - Transferred from card #2045 - Roger Banta 03/02/04 - Changed to Trust
Parcel B - PM 146830	
NOCIENT HISTORY	

CSD

		DESCRIPTION	Edward Tamagni to Edward & Beryl Tamagni, 1849 Roll.	Transfers between Manoukian & Tamagni, 1976-76 Roll.	Deleting Edward from the name of ownership, 1976-77 Roll.	Decree Settling Estate and Providing for Final Distribution and Discharge - Beryl Tamagni's Estate to Raymond Edward & Janice E. Tamagni.	-	Grant Deed - Raymond E. & Janice E. Tamagni to Raymond E. & Janice E. Tamagni, Trustees of the Raymond E. Tamagni Family Trust.	Gift Deed from Raymond E. & Janice E. Tamagni to Geraid T. & Renee E. Menesini, Husband & Wife as Joint Tenants (10 acres, 14-621-10).	Trustees Deed Upon Sale - to Roger L. Banta, Trustee under Declaration of Trust dated 12/12/93	Roger L. Banta, Trustee to Steven L. Bohner & Susan Scrivner Bohner, husband and wife as Joint Tenants	Steven L. Bohner & Susan Scrivner Bohner, husband and wife to Steven Bohner & Susan Bohner, Trustees of the Steven Bohner & Susan Bohner Family Trust	WRID 06/30/04
		DESCRIPTION	Edward Tamas	Transfers betw	Deleting Edwa	Decree Settling	Executor's De	Grant Deed - R	Gift Deed from	Trustees Deed	Roger L. Banta	Steven L. Bohi Family Trust	
100.000		DATE	01/01/49	12/15/75	08/11/77	06/09/92	06/08/92	06/12/92	06/17/92	04/03/00	12/12/02	01/12/04	
Parcel B - PM 146830	DOCUMENT HISTORY:	DOCUMENT #	#35-302	#24846/24845	#33612	#162438	#162440	#162536	#152644	#246284	#287186	#311732	

103883

PAUL 44

Case 3:73-cv-00127-MMD-CSD Document 650 Filed (1986) Page 81 of 383 RECORD REQUESTED BY

Title Service & Escrow Co. 03 SEP 11 AM 11: 03

APN 10-331-09 Document Transfer Tax \$182.00 Order No. TSL-25516 Mail Tax Bill to Grantee: Dellington NV BRYYY

- MARY C. HILLIGAN COUNTY RECORDER

SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged

KIRK A. BOOTH, an unmarried man and CAROLYN J. CROUSE, an unmarried who acquired title as CAROLYN C. BOOTH

do herepy GRANT, BARGAIN and SELL TO

PAUL J. FRY, III and JILL CHRISTINE FRY, husband and wife as Joint Tenants with the Right of Survivorship

the real property situate in the County of LYON, State of Nevada, described as follows:

All that certain real property being a portion of the Northwest 1/4 of the Southeast 1/4 of Section 27, T 11 N, R 23 E, M.D.B.&M., Lyon County, Nevada, being described as follows:

From the established and recognized monument (iron pin in mound of rocks) in the center of said Section 27, and which bears South 0°31' East, 2638.44 feet from the North one-quarter corner of said section; thence South 0°31' East along the one-quarter section line 330.00 feet to the true point of beginning at the Northwest corner of the parcel; thence North 89°56' East, 460.00 feet to a point at the Northeast corner of the parcel and in the so-called Colony Ditch: thence following along in said ditch so-called Colony East, 278.71 feet to a point at the Southeast corner South 25°07' East, 278.71 feet to a point at the Southeast corner of the parcel; thence leaving said ditch South 89°56' West, 576.03 feet to a point at the Southwest corner of the parcel; thence North 0°31' West along the one-quarter section line 252.50 feet to the point of beginning.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 82 of 383

Legal Description appeared previously in Document No. 217726, recorded on April 21, 1998, Official Records of Lyon County, Nevada.

TOGETHER WITH all water and water rights, ditches and ditch rights, wells and well rights

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

STATE OF NEVADA

COUNTY OF LYON

on August 27, 2003 personally appeared before me, a Notary Public for Judge or other authorized person, as the case may be), CAROLYN J. CROUSE, who acknowledged to me that she executed the within instrument.

STEPHANIE L. JACKSON Notary Public - State of Nevada Appointment Recorded in Lyon County No: 97-3155-12 - Expires August 25, 205

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 83 of 383

KIRK A. BOOTH

STATE OF NEVADA

COUNTY OF LYON

On Serv 4,2003 personally appeared before me, a Notary public (or Judge or other authorized person, as the case may be), KIRK A. BOOTH, who acknowledged to me that he executed the within instrument.



TION DISTRICT	NEVADA
WALKER RIVER IRE	YERINGTON, NEVADA

TION DISTRICT

Division #:	YERINGTON, NEVADA	Index No. Fm 75-C	
Card #: Name:	17925 Paul J. Fry, III & JIII Christine Fry	ounty No. 10 to.	Cas-09
Address:	P. O. Box 44 Wellington, NV 89447	User# 745 Ditch Colony	e 3:7
Court Decree:	ACRES DUTY STRAAGE DEPARED TOTAL APPORTIONED ACRE	TOTAL ACRES	3-cv
PRICKLI	The state of the s		E

3.000

NEWL

PRIORITY

Acre Feet Storage

Non Wir Rt. Acres Water Rt. Acres

C	SD _F	De) <mark>(C</mark> l	ument 650	Filed 05/09/05 Page 84 of 383
Comments:	11/20/03 - Transferred from card #4405 - K & C Booth			who acquired title as Carolyn C. Booth to	Filed 05/09/05 Page 84 of 383 07/06/09/09/09/09/09/09/09/09/09/09/09/09/09/
			DESCRIPTION	Max A. & Vergie A. Kennon to Jack & Leila Kern. Executor Deed - Leila M. Kern (1/2 int.) to Jack Kern. Executor Deed to Harry L. Finch. Harry L. Finch to Kirk A. & Carolyn C. Booth, husband and wife as Joint Tenants Kirk A. Booth, an unmarried man and Carolyn J. Crouse, an unmarried woman, v Christine Fry, husband and wife as Joint Tenants	
			DATE	09/19/83 10/09/90 12/11/90 04/21/98 09/11/03	
LEGAL DESCRIPTION:	NW 1/4 of SE 1/4, Sec. 27; T 11 N, R 23 E.	DOCUMENT HISTORY:	DOCUMENT #	#80415 #136869 #141630 #217726 #303883	Exhibit 25

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 85 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4-11.00	K wit R. B will	
Date: <u>4-4-05</u>	Signature Kannett R. Burnett	
•	Printed/Typed Name	
*	If you are acting on behalf of any entity, identify th	at you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu c Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 86 of 383

	IN THE UNITED STATES I FOR THE DISTRICT	
	UNITED STATES OF AMERICA.)
	Plaintiff.)
	WALKER RIVER PAILTE TRIBE.	IN EQUITY NO. C-125
(Plaintiff-Intervenor,	SUBFILE NO. C-125-B
5	vs.)
9	WALKER RIVER IRRIGATION DISTRICT,))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.
12 13	2. I am filing this document with the Distr	ict Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Su te 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu c
17	Summons. I am mailing a copy of this document to:	
13	Susan L. Schneider	_
19	Attorney for the United States of Americ United States Department of Justice	
20 21	Environment & Natural Resources Divis P.O. Box 756 Littleton, Colorado 80160	ion
22	4. I (or the entity on whose behalf I am action	ng) will retain all defenses or objection:
23	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defec
24	in the Notice in Lieu of Summons or in the service of th	e Notice in Lieu of Summons.
25	5. If I (or the entity on whose behal? I am actin	g) have retained an attorney to represent
26	me in these proceedings. I identify that attorney below,	along with his or her mailing address.
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTERES NO PARTIC	Take name 1 of 2

-cy-00127-MMD, CSD Document 650 Filed 05/09/05 Page 87 of 383 Address: Phone Number: Fax Number: Kant R.B. (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 16 Crosby Lm (Address) 775-465-2141 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 88 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4-4-05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a fail are to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73_{||}cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 89 of 383

	- <u> </u>
:	IN THE UNITED STATES DISTRICT COURT . FOR THE DISTRICT OF NEVADA
:	UNITED STATES OF AMERICA.
<u>-</u>	Plaintiff.
5	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125
7	Plaintiff-Intervenor, SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICI, a corporation. et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	2. I am filing this document with the District Court at the following address:
13	Chief Deputy Clerk United States District Court for the
15	District of Nevada 400 South Virginia Street, Suite 301
16	Reno, Nevada 89501
17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu
13	Summons, I am mailing a copy of this document to:
19	Susan L. Schneider Attorney for the United States of America
20	United States Department of Justice Environment & Natural Resources Division
21	P.O. Box 756 Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe:
26	me in these proceedings. I identify that attorney below, along with his or her mailing addres
27	telephone number, and facsimile number:
28	

Case 3:73	-cy-00127-MMD-CSD Attorney:	Document 650 Filed 05/09/05 Page 90 of 383
. 2		•
3	Address:	•
4		
5		•
6	Phone Number:	
7	Fax Number:	
8		Frank But
9		(Signature)
10		
11		Sharon L. Burnet
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		16 Crosby Lane
17		Smith, NV894
18		(Address) 775-465-2141
19		(Telephone number)
20		
21		
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25	;	
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 91 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3- 22-05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: (Title) Trustee

Joseph P. & Norma J. Cabral 2002 Revocable Living Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bea the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service *the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 92 of 383 IN THE UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff.

WALKER RIVER PAILTE TRIBE.

IN EQUITY NO. C-125

Plaintiff-Intervenor,

SUBFILE NO. C-125-B

VS.

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WALKER RIVER IRRIGATION DISTRICT.

g a comporation, et al.,

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE

- 1. I hereby enter my appearance in this sub-proceeding in this case.
- 2. I am filing this document with the District Court at the following address:

Chief Deputy Clerk
United States District Court for the
District of Nevada
400 South Virginia Street, Su te 301
Reno, Nevada 89501

3. In the envelope provided for return of my Waiver of Service of Notice in Lieu c Summons. I am mailing a copy of this document to:

Susan L. Schneider
Attorney for the United States of America
United States Department of Justice
Environment & Natural Resources Division
P.O. Box 756
Littleton, Colorado 80160

- 4. I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defection the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
- 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent me in these proceedings. I identify that attorney below, along with his or her mailing address telephone number, and facsimile number:

28

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	11	
Case 3:73	-CV-00127-MMD-CSD Attorney:	Document 650 Filed 05/09/05 Page 93 of 383
2		
3	Address:	
4		
5		•
. 6	Phone Number:	
7	Fax Number:	
8		Harma & Caleral
9		(Signature)
10		
11		YORMA J CABRAL
12		(Printed or typed Name)
13		Trustee, Joseph P. & Norma J. Cabral
14		2002 Revocable Living Trust
15		(Entity, if any, on whose behalf you are appearing)
16	•	
17		201000
18		(Address) Welling. VI) BOX87 New COUNTY
19		(Telephone number) 775-465-2082
20		775-463-0080
21		
22		
23		
24	<u>.</u>	
25	:	
26	•	•
27		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 94 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: $\frac{2 - 22 - 05}{}$

JOSEPH P CARRAL SR .

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

acting as: _______of

Loseph P. & Norma J. Cabral 2002 Revocable Living Trus (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bea the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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;	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
-	UNITED STATES OF AMERICA.)	
	Plaintiff.)	
=	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.)	
9	WALKER RIVER IRRIGATION DISTRICT,) } }	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11			
12	1. I hereby enter my appearance in this sub	-	
13	2. I am filing this document with the Distr	ict Court at the following address:	
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301		
16	Reno, Nevada 89501		
17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu c	
13	Summons, I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of Americ	:a	
20	United States Department of Justice Environment & Natural Resources Divis	ion	
21	P.O. Box 756 Littleton, Colorado 80166		
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cour		
24	in the Notice in Lieu of Summons or in the service of th	•	
25	5. : If I (or the entity on whose behalf I am actin		
26	me in these proceedings. I identify that attorney below,		
N	telephone number, and facsimile number:	arong with ma or nor marining address.	
	terephone number, and raesimate number;		
28			

cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 96 of 383 Case 3:73 Attorney: 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 Joseph & Call h 8 (Signature) 9 10 JOSEPH P CABRAL SR 11 (Printed or typed Name) 12 13 Trustee, Joseph P. & Norma J. Cabral 2002 Revocable Living Trust 14 (Entity, if any, on whose 15 behalf you are appearing) 16 PO Box 82 WELLINGTON NV 8944 17 (Address) 18 775-465 2082 19 (Telephone number) 20 21 22 23 24 25 26 27 28

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu	of
Summons or in the service of the Notice in Lieu of Superiors	-1

Date: MARCH 18, 2005

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: TRUSTEE of

The Bill E. CARLEW And Shapen M. CARLEW Family Trust.

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 21 Littleton, Colorado 80160 22 4 I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 27 telephone number, and facsimile number: 28

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 99 of 383

	Attorney:
;	
;	Address:
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9	
ε	Phone Number:
7	
8	Dill E Culm
9	(Signature)
10	
11	Bill E. CARLSON - TrusTe (Printed or typed Name)
12	[
13	The Bill E. CARLSON And Shano. M. CARLSON FAMILY TRUST.
14	
15	(Entity, if any, on whose
16	behalf you are appearing)
17	Smith NU 89430
1.8	(Address)
19	775- 465-2148
20	(Telephone number)
21	
22	
23	
24	
25	• •
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27	
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 100 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000). two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER FAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan I. Schneider, attorney for the United States, and I may use the same envelope provided for return of the wai /er of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

Date: <u>MANUA 18-2005</u>	Signature Bill E CARLSON
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: of
	(Title)
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in au of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the v aiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 8 WALKER RIVER IRRIGATION DISTRICT a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 2 I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of 17 Summons. I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 Littleton, Colorado 80160 21 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf) am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 102 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	0//
8		Big 4. Gale
9		(Signature)
10		
11		Bill E. CARLSON
12		(Printed or typed Name)
13		
14	•	
15		(Entity, if any, on whose behalf you are appearing)
16		195 Hudson Aurora Rd.
17		Smith, NU 89430
18		(Address)
19		775- 465-2148 (Telephone number)
20		(1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-
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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

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of

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ght in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service on Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. 9 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 15 400 South Virginia Street, Suite 301 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 21 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objections 22 4. to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 27 telephone number, and facsimile number: 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 105 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	\sim
8		Sparn M. Calsan
9		(Signature)
10		
11		Sharon M. CARLSON
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 195 Hudson Autora Rd.
17		Smith NU 89420
18		(Address)
19		775-465-2148 (Telephone number)
20		, and provide the second secon
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 106 of 383

1	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA,
4	Plaintiff,)
5	WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.)
8)
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	I am filing this document with the District Court at the following address:
13	Chief Deputy Clerk
14	United States District Court for the District of Nevada
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:
18	Susan L. Schneider
19	Attorney for the United States of America
20	United States Department of Justice Environment & Natural Resources Division P.O. Box 756
21	Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf (am acting) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,
27	telephone number, and facsimile number:
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Exhibit 32

Case 3:7	3-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 107 of 383
. 1	Attorney:
2	
3	Address:
4	· · · · · · · · · · · · · · · · · · ·
5	
б	Phone Number:
7	Fax Number:
8	
9	(Signature)
10	VElizabeth K Carrisa
11	(Printed or typed Name)
12	
13	
14	(Entity, if any, on whose
15	behalf you are appearing)
16	# 8 0/n Canch Rd
17	(Address)
18	v <u>775-465-9793</u>
19	(Telephone number)
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	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 108 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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	Kaj Wilana	
Date: 3 -/8 - 05	Signatures W. Carrosco	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Tatle)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 109 of 383

1		
2	IN THE UNITED STATES DI FOR THE DISTRICT O	ISTRICT COURT F NEVADA
3	UNITED STATES OF AMERICA.	·)
4	Plaintiff.))
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11		
12	1. I hereby enter my appearance in this sub	
13	2. I am filing this document with the Distri	ect Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suit 2 301 Reno, Nevada 89501	
16	 In the envelope provided for return of m 	y Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Americ United States Department of Justice	
20	Environment & Natural Resources Divis P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am act	
23	to the lawsuit or to the jurisdiction or venue of the cour	rt except for objections based on a defect
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26	me in these proceedings, I identify that attorney below	, along with his or her mailing address.
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO FARTI	CCIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 110 of 383 Attomey: Address: Phone Number: Fax Number: (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Telephone number)

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 111 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu	of
Summons or in the service of the Notice in Lieu of Summons	

Date: 3-23-05

Lawrence B. Masini

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: _______ of

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 112 of 383

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2	IN THE UNITED STATES D FOR THE DISTRICT C	ISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.)
ą	Plaintiff.	<i>)</i>)
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
8	WALKER RIVER IRRIGATION DISTRICT,))
9	a corporation, et al.,	Ś
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
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12	2. I am filing this document with the Distri	ict Court at the following address:
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14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	 In the envelope provided for return of m 	y Waiver of Service of Notice in Lieu c
17	Summons, I am mailing a copy of this document to:	
13	Susan L. Schneider	
19	Attorney for the United States of Americ United States Department of Justice	
20	Environment & Natural Resources Divis P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objection
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24	in the Notice in Lieu of Summons or in the service of th	ne Notice in Lieu of Summons.
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26	me in these proceedings, I identify that attorney below	, along with his or her mailing address
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 113 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) B. Masini (Printed or typed Name) Pres. Casino West (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 114 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 3 - 15 - 05	Signature Chase	
	HELEN Chase Printed/Typed Name	
	If you are acting on behalf of any entity, identify that acting as:	you are
	(Title)	01
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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7		
2	IN THE UNITED STATES DIS FOR THE DISTRICT OF	
3	UNITED STATES OF AMERICA.	
5	Plaintiff,)	
6	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
7	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
8	vs.	
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)	
10	NOTICE OF APPEARANCE AND INTE	ENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-p	proceeding in this case.
12	2. I am filing this document with he District	t Court at the following address:
13	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suit: 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu of
17	Summens, I am mailing a copy of this document to:	
19	Susan L. Schneider Attornev for the United States of America	
20	United States Department of Justice Environment & Natural Resources Division	
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting	g) will retain all defenses or objections
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28		

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 116 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Telephone number)

Divisio, 2					WAL	WALKER RIVL	RIVE ARIGATION DISTRICT YERINGTON NEVADA	ISTRICT	٠				
Card #:	8500						כוגי וגרגעה					;	
Name:	Russell E.	Russell E. & Helen B. Chase	386								Index No. Lyon County No.	Fm 314 C 12-271-04 P	
Address:	651 Highw	651 Highway 208 South									Claim No.		
	Yerington	Yerington, NV 89447				O. & M.	O. & M. Local No. 3				Ditch	Greenwood	
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			Harbara H	Barbara M. Wilson to Russell	Russell E. & H	E. & Helen B. Chase,							
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 118 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000) two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan ... Schneider, attorney for the United States, and I may use the same envelope provided for return of the wa ver of service.

5. I (or the entity on whose behalf I am acting) will reta	ain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objection	s based on a defeot in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons	

Date: 3-12-05

Hanaunie —

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 119 of 383

-		
2	IN THE UNITED STATES D FOR THE DISTRICT (DISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.	<u> </u>
4	Plaintiff.)
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125
5	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.)
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11		Lding in this case
12	1. I hereby enter my appearance in this sul	
13	2. I am filing this document with the Distr	act Court at the following address.
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu (
17	Summons, I am mailing a copy of this document to:	
13	Susan L. Schneider	
19	Attorney for the United States of Ameri United States Department of Justice	
20	Environment & Natural Resources Divi P.O. Box 756 Littleton, Colorado 80160	sion
21	4. I (or the entity on whose behalf I am act	ting) will retain all defenses or objection
22	to the lawsuit or to the jurisdiction or venue of the cou	
23	in the Notice in Lieu of Summons or in the service of t	
24		
25	, , , , , , , , , , , , , , , , , , ,	·• •
26	me in these proceedings. I identify that attorney below	v, along with his of her manning address.
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PART	icipate, page 1 of 2

3.73	3-Cy-00127-WWD-C3D DOCUME	il bou filed bo/09/00 Page 120 of
1	Attorney:	
2		
3	Address:	
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. 6	Phone Number:	
7	Fax Number:	
8		A Contraction
9		(Signature)
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11		DAVIS G-CHILCOTE
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		2831 Huy 208
17		WELLINGTON, HUSSYV
18		(Address)
19		(Telephone number)
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22		
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 121 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of A nerica

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER I AIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan I. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objection; based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/16/05

Signature Charles Tra

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: President
(Title)
Chiszim Inc.

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been rought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Eu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the vaiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 122 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the wa ver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/19/05

thains

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to coope ate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 123 of 383

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	ISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.	
4	Plaintiff.)
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	at a such	in this case
12	1. I hereby enter my appearance in this sub	
13	2. I am filing this document with the Distri	ct Court at the following address:
14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of
17	Summons. I am mailing a copy of this document to:	
18	Susan L. Schneider	
19	Attorney for the United States of Americ United States Department of Justice	ca
20	Environment & Natural Resources Divis P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of th	ne Notice in Lieu of Summons.
25	5. Fif I (or the entity on whose behalf I am action	ng) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	telephone number, and facsimile number:	
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Case 3:73	3-cv-00127-MMD-CSD Docume	ent 650 Filed 05/09/05 Page 124 of
2		
3	Address:	
4		
5	•	
6	Phone Number:	
7	Fax Number:	
8		Claime C. Cis
9		(Signature)
10		
11		ELAINE C. CID
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing)
17		1403 Hwy 208
18		(Address) 3-3987
19		(Telephone number)
20		
21		
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25	:	•
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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, v/hich is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice it Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER P AIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be selved with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/10/05

Signature

HARK N. HARIGHI

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: TRUSTEE of

(Title)

WILLIAM G. CREMETT! TRUST

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the vaiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 126 of 383 LYON COUNTY, NEV. RECORD REQUESTED BY

A.P. No.

012-361-18

Escrow No.

142-2095988-NMP/TSL-25733

R.P.T.T.

\$130.00 390.00

WHEN RECORDED MAI'L TO:

Michael F. Neeper and Sandra M. Neeper 199 8th Street

Norco, CA 92860

MAIL TAX STATEMENT TO:

Neeper 199 8th Street Norco, CA 92860 03 OCT 24 PM 3:57 MARY C. HILLIGAN COUNTY RECORDER

Title Service & Escrow Co.

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Donald G. Cutler and Dee Ann Cutler, husband and wife as joint tenants

do(es) hereby GRANT, BARGAIN and SELL to

Michael F. Neeper and Sandra M. Neeper, husband and wife as joint tenants with right of survivorship

the real property situate in the County of Lyon, State of Nevada, described as follows:

See Exhibit "A"

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 09/17/2003

306988

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 127 of 383

Donald G. Cutler

De Ann Cutler

STATE OF NEVADA)
	; ss.
COUNTY OF)
DOUGLAS	•
This instrument was as	knowledged before me on
This instrument was at)
∧Donald G. Cutler and	d Dee Ann Cutler.
	A
	~~
<u> </u>	tone Building (
	tary Public
No (My commission expire	

NOTARY PUBLIC
STATE OF NEVADA
County of Douglas
N. PETERSON
My Appointment Expires March 28, 2006

LEGAL DESCRIPTION

All that certain real property being a portion of the N 1/2 of SW 1/4 and SE 1/4 of SW 1/4 of Section 22 and a portion of NE 1/4 of NW 1/4 of Section 27, T 12 N, R 25 E, M.D.B.&M., also being a portion of Parcel A of Map No. 168510 Lyon County, Nevada, described as follows:

Parcel 3, as shown on the Parcel Map for Fonald G. Cutler and Dee Anne Cutler, recorded in the Official Records of Lyon County, Nevada, on March 31, 1995 as Document No. 180740.

361470

Case 3:73-cv-00127-MMD-CSD Document 650 File 1,05// 5 Page 130 of 383

RECORD REQUESTED BY

WESTERN TITLE CO. INC.

APN: 12-361-20 RPTT \$351,00 03 OCT 17 AM 10: 34

MARY C. HILLIGAN COUNTY RECORDER

WHEN RECORDED MAIL TO:

Name

STEVEN TOMAC

Street Address 39 panavista CIRCLE

City, State Zip

MAIL TAX STATEMENTS TO:

Name Street STEVEN TOMAC SAMe

Address City, State

Zip Order

7131 LJI -112- LJI

No.

(SPACE ABOV & THIS LINE FOR RECORDERS USE)

JOINT TENANCY DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, DONALD G CUTLER and DEE ANNE CUTLER, husband and wife as joint tenants do(es) hereby GRANT, BARGAIN and SELL to STEVEN TOMAC and LAURA TOMAC, husband and wife as joint tenants with right of survivorship, and not as tenants in common, the real property situate in the. County of Lyon, State of Nevada bounded and described as follows:

See Exhibit A attached hereto and made a part hereof.

Together with all tenements, hereditaments and appurtenances, if any, thereto belonging or appertaining, and any revisions, remainders, rents, issues or profits thereof.

Dated: August 19, 2003

STATE OF NEVADA

}ss

This instrument was acknowledged before me on

SHERRY TIMM

Notary Public - State of Nevada Appointment Recorded in Lyon County

No: 01-71616-12 - Expires October 25, 2005

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 131 of 383

Exhibit A

All that real property situate in the County of Lyon, State of Nevada, described as follows:

All that certain real property being a portion of the N $\frac{1}{2}$ of SW $\frac{1}{4}$ And SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 22 and a portion of NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27, T 12 N, R 25 E, M. D. B.& M., Lyon County, Nevada, Being a portion of:

Parcel A, as shown on the Parcel Map for Joseph William Tibbals, recorded in the Official Records Of Lyon County, Nevada, on January 21, 1994, as Document No. 168103, and by Certificate of Amendment, recorded February 7, 1994, as Document No. 168510.

More particularly described as follows:

Parcel 1, as shown on the Parcel Map for Donald G. Cutler and Dee Anne Cutler, recorded in the Official Records of Lyon County, Nevada, on March 31, 1995, as Document No. 180740.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 132 of 383

LYON COUNTY, NEV. RECORD REQUESTED BY

A.P.N.:

012-361-19

File No:

142-2:115692 (NMP) /TSL-2-2347

R.P.T.T.:

\$2,281,50

Title Service & Escrow Co. 04 FEB 18 PM 3: 08

MARY C. HILLIGAN COUNTY RECORDER

FEE 16 DEP. ICK

When Recorded, Mail Tax Statements To: Gregg E. Lubbe and Shelly Lubbe 9 Nordyke Road Yerington, NV

GRANT, BARGAIN and SALE DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Wachovia Bank NA fka First Union National Bank

do(es) hereby GRANT, BARGAIN and SELL to

Gregg E. Lubbe and Shelly, Lubbe, husband and wife as joint tenants $\rm M_{\, \bullet}$

the real property situate in the County of Lyon, State of Nevada, described as follows:

See Exhibit "A"

TOGETHER with all tenements, hereditaments and appurtenances, including easements and water rights, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Date: 01/27/2004

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 133 of 383

Wachovia Bank NA fka First Union National Bank	
(Allain	Set Leville
By: Byron M-Jinnen, Assistant Vice President	~
STATE OF North Carolina; ss.	
This instrument was acknowledged before me on Wachovia Bank NA fka First Union National B	TEBRUOTY 13, 2004 by
Hundolyn H. Carothers	
(My commission expires:	IC
THE STATE OF THE S	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 134 of 383

LEGAL DESCRIPTION

All that certain real property being a portion of the N 1/2 of SW 1/4 and SE 1/4 of SW 1/4 of Section 22 and a portion of NE 1/4 of NW 1/4 of Section 27, T 12 N, R 25 e, M.D.B.&M., also being a portion of Parcel A of Map No. 168510, Lyon County, Nevada, described as follows:

Parcel 2, as shown on the Parcel Map for Donald G. Cutler and Dee Anne Cutler, recorded in the Official Records of Lyon County, Nevada, on March 31, 1995 as Document No. 180740.

ATION DISTRICT	NEVADA
WALKER RIVER	YERING:

413 00 MĮ. Case 3:7 D-CSD Document 650 Filed 05/09/05 135 of 383 Page WRID 06/30/04 FM 372A-3 12-361-18 DAGW 1411 182 Donald G. & Dee Ann Cutler, husband and wife as Joint Tenants to Michael F. & Sandra M. Neeper, husband and wife as Joint Tenants Lyon County No. Non Wtr Rt. Acres Acre Feet Storage Water Rt. Acres TOTAL ACRES ndex No. Claim No. 01/20/04 - Transferred from card #11604 - Cutler User# Offich # M 50 162 162 162 162 162 162 162 162 8 182 162 162 00 BRIDGEPORT RES Supplement to Order Approving Sale of Real Property Free & Clear of Liens & Encumbrances ACRE FEET Joseph William Tibbals aka Joseph W. Tibbals to Donald G. & Dee Anne Cutter, H&W as J.T. QC Deed - Carol Tibbals to Joseph William Tibbals, as his sole & separate property. 13.76 COMMENTS: Order Approving Sale of Real Property Free & Clear of Liens & Encumbrances TOPAZ RES ACRE FEET APPORTIONED ACRE FEET Joseph W. Tibbals to Helen Coxhead MacFarland (20 Ac.) A Parcel Map for Joseph William Tibbals (Parcel A). 13.751 000 000. 000 8 8 .043 000 486 .183 12.705 000 268 077 TOTAL ACRE FEET REQUIRED Parcel Map for Donald G. & Dee Ann Cutler. Kay H. Bunn to Joseph W. & Carol Tibbals. Joseph William Tibbals to Carol Tibbals. Carol Tibbals to Joseph W. Tibbals. 3485 697 .9504 1.0771 2.0692 2534 PER ACRE STORAGE 30 34 DAYS F 22 99 DESCRIPTION 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 4.2768 DUTY 4.2788 4.2768 4.2768 Michael F. & Sandra M. Neeper C-125, P.: 46; J.i. Wilson 350 350 380 2.640 460 3.290 170 740 110 170 ACRES 510 6.170 4.130 20.010 10/24/03 10/24/03 10/24/03 03/05/82 12/10/73 06/24/81 09/06/84 01/21/94 03/31/95 06/29/94 06/29/94 DATE Norco, CA 92860 Fi. S 1/2 of SW 1/4, Sec. 22; Fr. NE 1/4 of NE 1/4, Sec. 27; T. 12 N. R. 25 E. 199 8th St. 155 900 900 .042 .063 603 .012 .002 007 800 50 Exhibit 42 36275 Parcel 3 of PM 180740 #70027 & # 70028 FORE DESCRIPTION: DOCUMENT HISTORY Court Decree; DOCUMENT # PRIORITY TOTAL #168103 #180740 #172992 Address #172991 #306986 NEWL #17193 #88208 #306987 #306988 EXCL Card #: Name: 1862 1863 1864 1868 1869 1872 1875 1877 0,00 1890 1903 #61467 1861

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Addreas: First Union National Bank Wells Fargo Home Morigage Snc. 3476 Stateview Boulevard Fort Mill, SC. 28716 Court Decree: C-126, P. 48; J.I. Wilson 1861 018 890 4.276 1862 009 890 4.276 1863 009 690 4.276 1864 009 4.276 1869 012 780 4.276 1871 000 014 880 4.276 1871 000 12 780 4.276 1872 000 6.640 4.276 1873 000 14 860 7.20 4.276 1873 000 4.276 1874 000 7.20 7.20 7.20 1875 000 7.20 7.20 1877 000 7.20 1877 000 7.20 1878 000 7.20 1878 000 7.20 1879 000 7.20 1879 000 7.20 1879 000 7.20 1879 000 7.20 1879 000 7.20 1870 000 7.20 1871 000 7.20	ge Inc. DUTY 4.2768		1 1						Index No. Lyon County No.	FM-372A2
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 138 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (d	or the entity on who	se behalf I am actin	ng) will retain all d	efenses or	objections to	the lawsuit
or to the juris	diction or venue of	the Court except fo	r objections based	on a defe	ct in the Notic	e in Lieu of
Summons or	in the service of the	Notice in Lieu of S	Summons			

Date: 10/17/00

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Trustee</u>

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 139 of 383

1	.	
2	FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA.	
4	Plaintiff.)
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.	000111111110110111111111111111111111111
8	j	
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-	proceeding in this case.
12	2. I am filing this document with the Distric	ct Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Saite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu
17	Summons. I am mailing a copy of this docu nent to:	
13	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice	1
20	Environment & Natural Resources Divisi P.O. Box 756	on
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am actir	g) will retain all defenses or objectio
23	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defe
24	in the Notice in Lieu of Summons or in the service of the	Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am actin	g) have retained an attorney to represe
26	me in these proceedings, I identify that attorney below,	along with his or her mailing addres
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTIC	IPATE, page 1 of 2

Case 3:73 cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 140 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 141 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation Distric', which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in I ieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susar L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 03 -17- 05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as Trustee of

Diehl Family 1999 Revocable Living Trust
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 142 of 383

-			
2		IN THE UNITED STATES D FOR THE DISTRICT O	ISTRICT COURT OF NEVADA
3	UNITED STA	ATES OF AMERICA.)
4		Plaintiff.)
5	WALKER RI	VER PAIUTE TRIBE.) IN EQUITY NO. C-125
6		Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.))
8 9	WALKER RI a corporation.	VER IRRIGATION DISTRICT, et al.,)))
10	-	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sub	p-proceeding in this case.
12	2.	I am filing this document with the Distri	ict Court at the following address:
13		Chief Deputy Clerk	
14		United States District Court for the District of Nevada	
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3.	In the envelope provided for return of m	y Waiver of Service of Notice in Lieu
17	Summons, I a	m mailing a copy of this document to:	
- 3		Susan L. Schneider	
19		Attorney for the United States of Americ United States Department of Justice	
20		Environment & Natural Resources Divis P.O. Box 756	sion
21		Littleton, Colorado 80160	· · · · · · · · · · · · · · · · · · ·
22	4.	I (or the entity on whose behalf I am acti	
23		or to the jurisdiction or venue of the cour	
24	_	n Lieu of Summons or in the service of th	
25		fI (or the entity on whose behalf I am action	• • •
26	me in these pr	oceedings. I identify that attomey below	, along with his or her mailing addres
27	telephone num	iber, and facsimile number:	
28			
- 1			

e 3:73	cv-00127-MMD-CSD	Document 650 Filed 05/09/05 Page 143 of 3
. 1	Attorney:	
2		
3	Address:	
4		•
5		
6	Phone Number:	
7	Fax Number:	\sim 0 10 \sim 0.4
8		marote Diell
9		(Signature)
10		
11		(Printed or typed Name)
12		Trustee of
13		Diehl Family 1999 Family Revocable Living Tru
14		Entity, if any, on whose
15		behalf you are appearing)
16		327 Brondusy
17		(Address)
18		marchile
19		(Telephone number) (775) 463-7813
20		(7/5)463-781)
21		
22		
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24		,
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	17	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 144 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will recain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

Date: 3 18 05

If you are acting on behalf of any entity, identify that you are

acting as: Surviving Trustee

(Title)

Josepha Gladys Domenic Family Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 145 of 383

	ri .			
2		IN THE UNITED STA		
3		TES OF AMERICA.)	
4		Plaintiff.)	
5		VER PAIUTE TRIBE.)	IN EQUITY NO. C-125
6		Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
7	vs.)	
8 9	WALKER RIV	/ER IRRIGATION DISTRICT, et al.,)))	
10	N	OTICE OF APPEARANCE A	ND INTEN	T TO PARTICIPATE
11				
12	1.	I hereby enter my appearance in	this sub-pro	ceeding in this case.
13	2.	I am filing this document w th t	he District C	ourt at the following address:
14		Chief Deputy Clerk United States District Court for District of Nevada	the	
15		400 South Virginia Street, Suite Reno, Nevada 89501	301	
16	3.	In the envelope provided for ret	um of my Wa	aiver of Service of Notice in Lieu
17	Summons, I am	mailing a copy of this documen	nt to:	
13	1#	Susan L. Schneider	C. A	
19 20) I	Attorney for the United States o Jnited States Department of Jus Environment & Natural Resourc	tice	
21		P.O. Box 756 Littleton, Colorado 80160		
22	4. I	(or the entity on whose behalf l	am acting) v	vill retain all defenses or objectio:
23	to the lawsuit or	to the jurisdiction or venue of	the court exc	ept for objections based on a defe
24	in the Notice in	Lieu of Summons or in the serv	ice of the No	tice in Lieu of Summons.
25	5. 🕺 If I	(or the entity on whose behalf I	am acting) ha	eve retained an attorney to represe:
26	me in these prod	eedings, I identify that attorney	y below, alon	g with his or her mailing addres
27	telephone numb	er, and facsimile number:		
28				

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 146 of 383 Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 147 of 383

APN: N/A

O 40800093

WHEN RECORDED MAIL TO:
MAIL TAX STATEMENTS TO:
Chris H. Gansberg, Jr. and
Faye E. Gansberg
2277 Foothill Road
Markleeville, CA 96120

LPTT#3

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made and entered into this 15th day of May 2004, between DOUBLE JA LAND & LIVESTOCK, INC., ("Grantor") and CHRIS H. GANSBERG, JR. and FAYE E. GANSBERG, husband and wife, as community property with right of survivorship ("Grantees").

WITNESSETH:

THAT THE SAID GRANTOR, for and in consideration of the sum on One Dollar (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grants, bargains, sells and conveys unto Grantees and to their heirs, successors and a signs forever, all of the following described lot, piece or parcel of land, water rights, situate, lying and being in the State of Nevada, Lyon County, described as follows:

- A. See Exhibit "A" attached hereto and incorporated lerein by reference.
- B. The following described water rights on file at the Nevada State Engineer's office.
 - Proof of Appropriation 04230 (i) Permit12325, Certificate 3227 Permit 64014, Certificate 15640 Permit 12345, Certificate 3442 Permit 64013, Certificate 15639 Permit 12375, Certificate 3229 Permit 31197, Certificate 10155 Permit 12398, Certificate 3202 Permit 31198, Certificate 10156 Permit 12324, Certificate 3226 Permit 12280, Certificate 3207 Permit 12321, Certificate 3223 Permit 69801 Application70044 Permit 12323, Certificate 3225 Permit 2322, Certificate 3224 Application 70045

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 148 of 383

- (ii) All water rights of the Walker River, including decreed, stored or Newlands, as more particularly set forth in the action entitled United States v. Walker River Irrigation District, et al., in the United States District Court, for the District of Nevada, in Equity C-125, appurtenant to the real property described above. Said water being a portion of Claim No.'s 11 and 123, and Claim No. 143 of the above entitled Decree. Index Card No. s 13300, 13400, and 13500 of the Walker River Irrigation District are incorporated herein.
- C. Any and all stock, shares or certificates of water ownership, or right to utilize water conveyance systems which are appurtenant to the real property described above.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TOGETHER WITH, all water and water rights, ditch and ditch rights, well and well rights with the appurtenances, unto the said Grantees, and to their heirs, successors and assigns forever.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to their heirs, successors and assigns forever.

IN WITNESS WHEREOF, the said Grantor has Fereunto executed this Grant, Bargain and Sale Deed the day and year first above written.

DOUBLE JA LANI! & LIVESTOCK COMPANY, INC., A NEVADA CORPORATION

By: John J. ASCOAGA, President ()

By: Roce L. acceaga

: Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 149 of 383

STATE OF NEVADA)
	: SS.
COUNTY OF WASHOE)
This instrument was	acknowledged before me on the 15 day of May
2004, by John J. Ascuaga.	
Notary Public	NANCY RAPP TRABERT Notary Public - State of Nevada Appoint and Recorded in Washoe County No: 94-0345-2 Expires November 4, 2006
STATE OF NEVADA)
	: ss.
COUNTY OF WASHOE)
2004, by Rose L. Ascuaga.	acknowledged before me on the 15 day of May,
Na ne c, P.	Andre of Nevada
Notary Public	Appointment Recorded in Washoe County No. 04-0747-2 - Frei ing Mayember 4, 2006

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of LYON COUNTY, described as follows:

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE COUNTY OF LYON, STATE OF NEVADA, DESCRIBED AS FOLLOWS:

T 11 N, R 23 E, M.D.B.&M.:

SECTION 13:

THE EAST HALF OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER.

SECTION 24:

THE EAST HALF OF THE SOUTHEAST QUARTER; THE EAST HALF OF THE NORTHEAST QUARTER; THE NORTHWEST QUARTER; THE EAST 200 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER; THE EAST 200 FEET OF THE SOUTHWEST QUARTER.

T 11 N, R 24 E, M.D.B.&M.:

SECTION 7:

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER; THE SOUTH HALF OF THE SCUTHEAST QUARTER AND THE NE 1/4 OF THE SE 1/4, EXCEPTING THEREFROM PARCELS 1 AND 2 AS SHOWN ON LYON COUNTY PARCEL MAP 278755.

SECTION 18:

THE SW 1/4, THE E 1/2 OF THE NW 1/4, THE SW 1/4 OF THE NW 1/4, THE W 1/2 OF THE NE 1/4 AND THE N 1/2 OF THE NE 1/4 OF THE NE 1/4.

SECTION 19:

THE SW 1/4, EXCEPTING THEREFROM THAT PORTION CONVEYED TO H.B. GAGE, H.M. SCHOOLEY AND JOHN MCVICAR, TRUSTEES OF THE VALLEY GROVE CEMETERY ASSOCIATION AND THEIR SUCCESSORS IN OFFICE, BY DEED RECORDED APRIL 19, 1901 IN BOOK N. OF DEEDS, PAGE 237, LYON COUNTY NEVADA, RECORDS.

ALSO IN SECTION 19: ALL OF LOTS 1 AND 2 EXCEPT A STRIP OF LAND ALONG THE EAST BOUNDARY OF SAID LOTS BEING 52 RODS WIDE AT THE NORTH END AND 26 RODS WIDE ATTHE SOUTH END.

ASSESSOR'S PARCEL NO. 10-421-06 AND 13

"IN COMPLIANCE WITH NEVADA REVISED STATUTE 111.312, THE HEREIN

ABOVE LEGAL DESCRIPTION WAS TAKEN FROM INSTRUMENT RECORDED DECEMBER 26, 2002, AS FILE NO. 287912, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, STATE OF NEVADA."

ATION DISTRICT	. NEVADA
VALKER RIVER IR	YERINGTON,

Card #:	19260	Index No.
Name:	Chris H. Gansberg, Jr.	Lyon County N
	Faye E. Gansberg	Claim No.
Address:	2277 Foothill Road	User #
	Markieeville, CA 96120	Ditch

C-125, P. 42; Settelmeyer, F. W. Court Decree:

Document 650 Filed 05/09/05 Page 151 of 383 06/16/04 - Transferred from Double JA L & L Co. - card #13500, user #650 Acre Feet Storage Non Wit Rt Acres Water Rt. Acres TOTAL ACRES CLAIM # 143 7 143 143 9 BRIDGEPORTRES ACRE FEET COMMENTS: 191.17 TOPAZ RES. ACRE FEET APPORTIONED 191.17 ACRE FEET 000 900 8 12.016 179.150 191,166 TOTAL ACRE FEET REQUIRED .4039 1.6444 PER ACRE STORAGE DAYS 86 4 3.2076 3.2076 3.2076 3.2076 3.2076 7170 T 11 N, R 24 E. E 1/2 of SE 1/4, Fr. W 1/2 of SE 1/4, Sec. 24; T 11 N, R 23 E. 16.170 29.750 84.920 116.000 ACRES 1,330 247.170 1.019 .132 1.524 C.F.S. 51.0. .357 EGAL DESCRIPTION. SW 1/4, Sec. 19. DOCUMENT HISTORY: TOTAL PRIORITY NEWL 1868 1878 1862 1863

00127

|3:73|

West Walker

803

10421-06 Pt. of 143

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-**M***/D

FCSD

Double JA Land and Livestock Company, Inc., a Nevada corporation to Chris H. Gansberg, Jr. and Faye E. Gansberg, husband and wife as community property with right of survivorship

Plymouth Land & Stock Co to Double 1A I and R. I westert or In-Fred W. & Katle A. Settelmeyer to Plymouth Land & Livestock Co.

> 01/26/72 06/01/04

99/60/90

DESCRIPTION

DATE

DOCUMENT #

#49-219

References water

06/01/04

#322108

#322107

#09362

Division #:

ATION DISTRICT	₩EVADA
WALKER RIVER I	YERINGTON, NEVADA

803 O West Walker

10-421-13

Index No.
Lyon County No.
Claim No.
User #

19251	Chris H. Gansberg, Jr.	Faye E. Gansberg	2277 Foothill Road	Markleeville, NV 96120
Card #: 19		F	Address: 22	 2
Car	Name:		Ada	

Division #:

PRIORITY G.F.S. ACRES DUTY STORAGE PER ACRE TOTAL ACREFEET TOTAL ACRES TOTAL ACRES NEWIL \$20.000 4,2768 66 2.0592 658.940 658.94 658.94 00													
320.000 4.2768 65 2.0592 658.940 658.94 658.94 658.94 658.94 658.94 658.94 658.94 658.94 658.94 00	Stideled				DAYS	ACRE FEET	REQUIRED	ACRE PEET	TOPAZ RES.	BRIDGEPORT RES.			
320.000 4.2768 66 2.0592 658.940 658.94 .00	THIONILL	ei L	ACKES	מחוג	STORAGE	PER ACRE	TOTAL		ACRE FEET		CLAIM #	TOTAL ACRES	
320.000 658.940 658.94 658.94 .00	NEWL		320.000	4.2768	9.6	2.0592	658 940						
	TOTAL		320.000				658 940	658 94	Po dyg			Water Rt. Acres	
									10.000			Non Wir Rt. Acres	
												1	

		COMMENTS:
SW 1/4, SEc. 18;	2601121	Map No. 24 8/12/02 - Changed APN 6/16/04 - Transferred from Double #550

Acre Feet Storage

ATION DISTRICT	, NEVADA
VALKER RIVER IF	YERINGTU

Division #:

Acres 6 Acres 6 Acres 6 Acres 7 Acres	Card #:	19262	ıı.									Index No.	241A 276
7277 Foothill Road Markleeville, CA Markleeville, CA C-126, P. 38; McVi C-126, P. 38; McVi 336 337 370 370 370 370 370 370 370 370 370	Name:	Chris H. (Sansberg, Jr.]						Lyon County No.	
2277 Foothill Road Markleeville, CA C-126, P. 38; McVi 006 .336 .336 .370 .370 .1720 6.430 6.430 6.430 6.430 01/26 01/26 06/24/ 06/01/		Fave E. G	ansberg									Claim No.	Pt. of 111&123
C-125, P. 38; McVi C.F.S. 0006 1.332 1.332 1.332 1.740 1.792 1.793 0.770 0.6734 0.6724 0.66/24/ 0.66/24/	Address:	2277 Foo	thill Road			ļ						User #	803
C. 126, P. 38; McVi 006 336 336 336 337 370 370 370 371 370 36, 740 41, 1792 141 1792 142 360 86, 30 66, 3		Markleev	ille, CA 96120									Ditch	1 1
005 1336 1332 1332 140 370 370 370 360 86 720 6430 6430 6430 6430 6430 6430 6430 66/04/ 06/04/ 06/04/	Court Decree:	C-125, P.	38; McVicar#11	1 P.38; Plyn	nouth L&L	Co.			į				o. / ₍
.336 .21 .336 .21 .370 .370 .36. .720 .66. .720 .631 .85. SE of SW, Sec. .720 .631 .720 .631	PRIORITY	Ω 8,	ACRES	YTUG	DAYS STORAGE	ACRE FEE	T REQUIRED TOTAL	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	S-CV
.338 21 .370 36 .370 36 .740 44 .116 8 .720 86 .720 86 .720 86 .720 86 .720 86 .720 86 .720 113 6.430 631 01/26 0 ft. in SW of NESS 1 E.	1862	900	420	3.207.6			000				144		
	1863	.336	28.000	3.2076			000.				111	Water Rt. Acres	520-
	1864	1.332	111.000	3.2076			000.				123	Non Wir Rt. Acres	17,030
	1868	090	6.000	3.2076			000				==	T	7-
.740 44 .1792 144 .960 86 .720 68 .720 631 6.430 631 6.430 631 6.430 631 7 of R. in SW of NES 1 E. 13; 1 E. 18; 1 E. 1 E. 1 E. 1 E. 1 E. 1 E. 1 E. 1 E.	1869	.370	30.830	3.2076			000				123	Acre Feet Storage	TV.
	1878	740	46.250	4.2768	11	.5386	24.910				123	·	V
1.792 144 .960 86 .720 68 6.430 633 E. SE of SW, Sec. N of NE, E of NW. 1 E. 13; 0 ft. in SW of NES	1878	.116	9.580	3.2076	11	.4039	3.869				111		D
860 86 .720 66 .720 66 .720 67	1878	1.792	149.330	3.2076	17	4039	60.314				123	1	-(
6.430 631 6.430 631 6.430 631 7 of NE, E of NW, c. 19; 1 E. 13; 0 ft. in SW of NES 1 E. DAT 06/01/	1885	.960	80.000	3.2076	53	689	65.120				123	Γ	, S
6.430 631 SE, SE of SW, Sec. N of NE, E of NW. C. 19; I. E. 13; O ft. in SW of NES 0 ft. in SW of NES 1 in SW of NES 0 ft. in SW of NES 0 ft. in SW of NES 0 ft. in SW of NES		.720	60.000	3.2076			000				123		שי
6.430 631 SE, SE of SW, Sec. N of NE, E of NW, c. 19; 1 E. 13; 0 1/26/ 0 6/24/ 0 6/01/	EXCL		17.020	3.2076			000					1	L
E. SE of SW, Sec. Nof NE. E of NW. C. 19; I.E. 13; Off. in SW of NES I.E. DAT 06/04/	TOTAL	6.430	637.430				144.214	144.21	144.21	00.		·	יטי
5E, SE of SW, Sec. 7 of NE. E of NW, c. 19; 1 E. 13; 0 ft. in SW of NES 13; 0 ft. in SW of NES 1 E. 06/24/	COAL DESCRIPTION										to make the	1	
15. SE of SW, Sec. Nof NE, E of NW. C. 19; 15. 13; 0 ft. in SW of NES. 13; 0 ft. in SW of NES. 15. 15. 15. 15. 15. 15. 15. 15. 15. 15	LEGAL DESCRIPTION	į						5 (3)	COMMENTS				
13: 0 ft. in SW of NESs 1 E. 01/26/ 06/24/ 06/01/	NE of SE, S o N of NE of NE	I SE, SE of Worke, E	SW, Sec. 7; E of NW, SW of A	VW. Sec. 18			200		Map No. 1/28/02 -	24 card adjusted fo	ir excess de	cree ppuichani mi aus	11 E [11
0 ft. in SW of NES. 0 1/26/ 06/24/ 06/01/	T 11 N, R	24 E.			34			ja Š	8/12/02	Changed APN Fransferred fron	n Double JA	Land & Livestock (o, card
04126/ 04124/ 06/01/	NW of NE, E. T 11 N. R.	200 ft. in SV 23 E.	N of NESec. 24;	!			i j		**	13300, user #66i			υ F
01/26/ 06/24/ 06/01/ 06/01/	DOCUMENT HISTOR	£Y:			₽								
0 1/28/ 0 6/24/ 0 06/01/	DOCUMENT #		DATE	DESCRIPTIC	NC								
06/01/	#09352		01/26/72	Plymouth	Land & L	ivestock Co. to	Double JA Land	1& Livestock Co	., Inc. (combin	ed with 241-A le	ss Plymout	, Co.).	
06/01/	#278765		06/24/02	Parcel Ma	ap for Dou	ble JA Land &	Livestock Comp	any (APNs 10-42	1-11 & 10-421-	12 non-water ric	thted land)		13)
110/90	#322107		06/01/04	Double J. property	A Land an with right	d Livestock Co of survivorship	mpany, Inc., a N	evada corporati	on to Chris H. (3ansberg, Jr. &	Faye E. Gar	sberg, husband and	I wife as community
	#33108		06/01/04	Referenc	es Water				1				
												WRI	D 06/30/04 C
WRID 06/30/04													300

LEGAL DESCRIPTION.		0
NE of SE, S of SE, SE of SW, Sec. 7; N of NE of NE, W of NE, E of NW, SW of NW. Sec. 18:	W. I.	Mai 1/28
Fr. W of NW, Sec. 19; T 11 N, R 24 E.		8/12
SW of SE, Sec. 13; NW of NE, E. 200 ft. in SW of NESec. 24;		
COCCUMENT LICETORY.		ŀ

DOCUMENT HISTORY:		
DOCUMENT #	DATE	DESCRIPTION
#09352	01/28/72	Plymouth Land & Livestock Co. to Double JA Land & Livestock Co., Inc. (combined with 241-A less Plymouth Co.).
#278765	06/24/02	Parcel Map for Double JA Land & Livestock Company (APNs 10-421-11 & 10-421-12 non-water righted land)
#322107	06/01/04	Double JA Land and Livestock Company, Inc., a Nevada corporation to Chris H. Gansberg, Jr. & Faye E. Gansberg, husband and wife as property with right of survivorship
#33108	06/01/04	References Water

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 154 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

	taderial (Wholes	
Date:	Signature	
	Frederick E. Alpers	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you are	•
	acting as: <u>Co-Trustee</u> of	•
	(Title)	
	F & B Trust	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

α.,

1						
2	IN THE UNITED STATES D FOR THE DISTRICT O					
3	UNITED STATES OF AMERICA,)				
4	Plaintiff,))				
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125				
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B				
7	vs.) }				
8	WALKER RIVER IRRIGATION DISTRICT. a corporation, et al.,)))				
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE				
11	I hereby enter my appearance in this sub	p-proceeding in this case.				
12	2. I am filing this document with the Distri	ict Court at the following address:				
13	Chief Deputy Clerk					
14	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301					
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501					
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of				
17	Summons. I am mailing a copy of this document to:					
3	Susan L. Schneider					
19	Attorney for the United States of Americ United States Department of Justice					
20	Environment & Natural Resources Divis P.O. Box 756	ion				
21	Littleton, Colorado 80160					
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections					
23						
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.					
25	5. If I (or the entity on whose behalf am acting) have retained an attorney to represent					
6	me in these proceedings, I identify that attorney below,	along with his or her mailing address,				
7	telephone number, and facsimile number:					
8						
	NOTETOE OF ADDEADANCE AND INTERNET TO DARWE	TTTNEE DOGG 1 of 2				

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 156 of 383 Attorney: 1 2 Address: 3 4 5 Phone Number: 6 Fax Number: 7 Frederik E april 8 (Signature) 9 10 11 Frederick E. Alpers (Printed or typed Name) 12 13 14 F & B Trust (Entity, if any, on whose 15 behalf you are appearing) 16 192 Hudson Aurora Rd. 17 Smith. NV 89430 (Address) 18 <u>775- 463-2106</u> 19 (Telephone number) 20 21 22 23 24 25 26 27 2.8

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 157 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 3-19-05

Signature

Barbara L. Alpers

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Co-Trustee</u>

(Title)

F & B Trust

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

<u> </u>	
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA
3 4	UNITED STATES OF AMERICA.
5	Plaintiff.
6	WALKER RIVER PAIUTE TRIBE. (IN EQUITY NO. C-125
7	Plaintiff-Intervenor, SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub-proceeding in this case.
12	2. I am filing this document with the District Court at the following address:
13 14	Chief Deputy Clerk United States District Court for the
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501
16 17	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
13	Summons, I am mailing a copy of this document to:
19	Susan L. Schneider Attorney for the United States of America
20	United States Department of Justice Environment & Natural Resources Division
21	P.O. Bex 756 Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent
26	me in these proceedings. I identify that attorney below, along with his or her mailing address,
27	telephone number, and facsimile number:
28	

Case 3:78-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 159 of 383

1	Attorney:
2	
3	Address:
4	
5	
6	Phone Number:
7	Fax Number:
8	Dachara Mysers
9	(Signature)
10	
11	Barbara L. Alpers
12	(Printed or typed Name) Co-Trustee
13	
14	F & B Trust
15	(Entity, if any, on whose
16	behalf you are appearing) 192 Hudson Aurora Rd.
17	Smith. NV. 89430
18	(Address)
19	775-465-2106 (Telephone number)
20	(1010p.1010 11—11001)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 160 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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or to the jurisdiction or venue of the Court except for objections h	pased on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons	1

Date: 3/17/05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ____

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 161 of 383

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2		IN THE UNITED STATES D FOR THE DISTRICT O		
3	UNITED ST	ATES OF AMERICA.)	
- 4		Plaintiff.))	
5	WALKER R	IVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
6 7		Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
8	vs.		,	
9	WALKER R a corporation	IVER IRRIGATION DISTRICT. 1. et al.,)	
10		NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	1.	I hereby enter my appearance in this sub	p-proceeding in this case.	
12	2.	I am filing this document with the Distri	ict Court at the following address:	
13		Chief Deputy Clerk		
14		United States District Court for the District of Nevada		
15		400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16 17	3.	In the envelope provided for remm of m	y Waiver of Service of Notice in Lieu o:	
1.0	Summons. I	nm mailing a copy of this document to:		
19		Susan L. Schneider Attorney for the United States of Americ	za	
20		United States Department of Justice Environment & Natural Resources Divis		
21		P.O. Box 756 Littleton, Colorado 80160		
22	4.	I (or the entity on whose behalf I am acti	ng) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. :	If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent	
26	me in these p	roceedings, I identify that attorney below	, along with his or her mailing address,	
27	telephone nur	nber, and facsimile number:		
28				

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 162 of 383 Attomey: Address: Phone Number: Fax Number: (Signature) DIANNE FASIAS (Printed or typed Name) FANIASLIC (Éntity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 163 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 3-17-05

Signature

ELLIS N FARIAS

Printed/Typed Nam:

If you are acting on behalf of any entity, identify that you are acting as:

Grantas LCC

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73 cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 164 of 383

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2	IN THE UNITED FOR THE I	STATES DISTRICT COURT DISTRICT OF NEVADA				
3	UNITED STATES OF AMERICA.)				
4	Plaintiff,					
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125				
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B				
7	vs.)				
8 9	WALKER RIVER IRRIGATION DISTR a comporation, et al.,	uct. }				
10	NOTICE OF APPEARAN	CE AND INTENT TO PARTICIPATE				
11	• • •	in the sub-sub-sub-sub-sub-sub-sub-sub-sub-sub-				
12	1. I hereby enter my appearance in this sub-proceeding in this case.					
13		with the District Court at the following address:				
14	Chief Deputy Clerk United States District Court for the					
15	District of Nevada 400 South Virginia Street,	Suite 301				
16	Reno, Nevada 89501	c write control control of the				
17		or return of my Waiver of Service of Notice in Lieu				
. a	Summons, I am mailing a copy of this do	cument to:				
19	Susan L. Schneider Attorney for the United St	ates of America				
20	United States Department Environment & Natural Re	of Justice esources Division				
21	P.O. Box 756 Littleton, Colorado 80160	•				
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection					
ll li	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec					
Ħ	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.					
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent					
- 1		ttorney below, along with his or her mailing address				
- 1	telephone number, and facsimile number:					
1	reseptione number, and facsimile number.					
8						

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73	-cv-00127-MMD-CSD	Document 650 Filed 05/09/05 Page 165 of
1	Attomey:	
2		
3	Address:	
4		· ·
5		
6	Phone Number:	
7	Fax Number:	
8		Ell Hani
9		(Signature)
10		
11		ELLIS N FARIAS
12		(Printed or typed Name)
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14		Pantner - Farias CLC
15		(Entity, if any, on whose
16		behalf you are appearing) On Box 27
17		Wellington Nev 89444
18		(Address)
19		(Telephone number)
20		(Telephone number)
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27		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 166 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAJUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

_	Samen Farias	
Date: 3-18-05	Signature CARMEN FARIAS	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	are
	acting as:	_ of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the way ar form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 167 of 383

-					
2	IN THE UNITED STATES I FOR THE DISTRICT	DISTRICT COURT OF NEVADA			
3	UNITED STATES OF AMERICA.)			
4	Plaintiff.)			
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125			
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B			
7 8	vs.				
0 0	WALKER RIVER IRRIGATION DISTRICT. a corporation. et al.,)			
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE			
11	1. I hereby enter my appearance in this su	b-proceeding in this case.			
12	2. I am filing this document with the Dist	rict Court at the following address:			
13 14	Chief Deputy Clerk United States District Court for the				
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501				
16	Reno, Nevada 89501 3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu o			
17	Summons. I am mailing a copy of this document to:	-,			
18	Susan L. Schneider				
19	Attorney for the United States of American United States Department of Justice				
20	Environment & Natural Resources Divi P.O. Box 756	ISION			
21	Littleton, Colorado 80160	ii)iiiin all defenses on chiestion			
22	4. I (or the entity on whose behalf I am act				
23	to the lawsuit or to the jurisdiction or venue of the cou				
24	in the Notice in Lieu of Summons or in the service of t	he Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represen			
26	me in these proceedings, I identify that attorney below	v, along with his or her mailing address			
27	telephone number, and facsimile number:				
a l					

Case 3:78-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 168 of 383 Attomey: Address: Phone Number: б Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 18 Routa 338 (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 169 of 383 3 4 IN THE UNITED STATES DISTRICT COURT 5 FOR THE DISTRICT OF NEVADA 6 7 UNITED STATES OF AMERICA. 8 In Equity No. C-125-ECR Plaintiff. 9 Subfile No. C-125-B WALKER RIVER PAIUTE TRIBE. 10 NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT Plaintiff-Intervenor. 11 V. 12 WALKER RIVER IRRIGATION DISTRICT, 13 a corporation, et al., 14 Defendants. 15 16 The undersigned counter-defendant in the above action hereby notifies the Court and the 1 United States that the undersigned (or the entity on whose behalf the undersigned is acting) has 18 sold or otherwise conveyed ownership of all or a portion of a water right within one or more of 19 the categories set forth in Paragraph 3 of the Case Management Order and provides the 20 following information: 21 The name and address of the party or parties who sold or otherwise conveyed 1. ownership: 2. Ellis Norman Farias and Dianne Farias 24 Name(s) 25 P. O. Box 27 Wellington, NV 89444 Street or P.O. Box 26 27 Exhibit 49

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

	73- <u>c</u> v-001	27-MMD±0	ME OF CITY	IMENt 650	野 iled 05/09/05	Page 170 of		
2	<u>.</u>	The name an	d address of e	ach person or e	entity who acquired o	wnership		
3					Francine L. L. M			
5					`			
6	27/3 Hwy 208							
7			llington wn or Ciry	NV State	89444 ZipCode			
8	3.	Attached to o	or included wi	th this notice is	a copy of the (check	« appropriate		
9	box(es)):							
10		X	Deed					
11			Court Order					
12			Other Docume	nt.				
13								
14	4.				erson or entity who			
15					ultimately responsibl			
16	of this filing.	Consequently	, the undersign	ned acknowled	ges that any person o	or entity who tiles		
;-			,					
18								
19		This		ent to the follow	ving two persons:			
20								
21		United States	arer, Chief Depi District Court f	for the District o	f Nevada			
72		400 South Vit Reno, NV 895	rginia Street. Su 501	nte 301				
:		<u>And</u>		•		•		
23		Susan L. Schr						
24		United States P.O. Box 756	Department of	Justice				
25		Littleton, CC						
26	es.							
~-	i							

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIF, page 2 of 3

Case	:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 171 of
3	litigation.
4	Executed this 10 day of March 2001.
į	Little de la
5	-
6	
7	[signature of counter-defendant]
8	Ell November
9	Ellis Norman: Farias and
10	Dianne Farias [name of counter-defendant]
11	Ellis N FARIAS Dianne FARIAS
12	
13	[signature, if applicable, of person acting on behalf of counter-defendant]
14	
15	
16	nante, if applicable, of person acting on behalf of counter-defendant]
17	behalf of counter-defendant
18	
19	P. O. Box 27 Wellington, NV 89444
20	[address]
21	775-465-2123
22	[telephone number]
23	
24	
25	
26	
27	
	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3
28	TO LICE OF CITE OF CONTRACT OF THE PROPERTY OF

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/65/05 Page 172 of 383

RECORD REQUESTED BY

APN 10-651-09 Document Transfer Tax \$975.00 Order No. TSL-26937 Mail Tax, Bill to Grantee: 2773 Hwy 208

NORTHERN NEVADA TITLE CO. 04 SEP -3 AM IO: 52

MARY C. FULLIGAN COUNTY RECORDER

FEE 1500 DEP. DW

SPACE ABOVE FOR RECORDER'S USE ONLY

GRANT; BARGAIN and SALE DEED

receipt of which is hereby CONSIDERATION, FOR A VALUABLE acknowledged

ELLIS NORMAN FARIAS and DIANNE FARIAS, husband and wife

do (es) hereby GRANT, BARGAIN and SELL TO

TRAVIS E. MYERS and FRANCINE L.L. MYERS, husband and wife as Joint Tenants with the Right of Survivership

the real property situate in the County of Lycn, State of Nevada, described as follows:

Beginning at a point at a fence corner at the Northeasterly corner of the parcel and along the Westerly side of the State Highway, said point further described as bearing North 69°43'30" West a distance of 864.33 feet from the section corner common to Sections 1, 2, 11 and 12, Township 10 North, Range 23 East; thence South 50°59' East along the Westerly side of the State Highway, a distance of 88.00 feet to a point; thence South 38°58' West a distance of 530.00 feet to a point on the Easterly slope of the Plymouth Ditch; thence North 35°11' West along the Easterly slope of said ditch, a distance of 91.50 feet to a point at the fence corner; thence North 38°58' East along the fence line a distance of 505.10 feet to the point of beginning.

Reference is hereby made to that certain Record of Survey for Ellis Norman Farias, recorded in the Official Records of Lyon County, Nevada on August 19, 2004 as Document No. 328857.

Note: Legal Description previously contained in document recorded March 10, 2003 as Document No. 292199. po

330250

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 173 of 383

TOGETHER WITH all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainders, rents, issues or profits thereof.

DIANNE FARIAS STATE OF NEVADA SS.

COUNTY OF LYON

on Sept. 1, 2001 personally appeared before me, a Notary Public (or Judge or other authorized person, as the case may be), ELLIS NORMAN FARIAS and DIANNE FARIAS, who acknowledged to me that they executed the within instrument.

STEPHANIE L. JACKSON Notary Public - State of Nevada Appointment Recorded in Lyon County No: 97-3155-12 - Expires August 25, 2005

44.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 174 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-/8-05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 175 of 383

-						
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA					
ڌ	UNITED STATES OF AMERICA,	}				
4	Plaintiff.					
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125				
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B				
7	vs.) }				
8 9	WALKER RIVER IRRIGATION DISTRICT, 2 corporation. et al.,					
10	NOTICE OF APPEARANCE AND ENT	ENT TO PARTICIPATE				
11	I hereby enter my appearance in this sub	-proceeding in this case.				
12	2. I am filing this document with the District Court at the following address:					
13	Chief Deputy Clerk United States District Court for the					
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501					
16	3. In the envelope provided for return cf my Waiver of Service of Notice in Lieu					
17	Summons. I am mailing a copy of this document to:					
13	Susan L. Schneider Attorney for the United States of Americ	ca				
19 20	United States Department of Justice Environment & Natural Resources Divis					
	P.O. Box 756 Littleton, Colorado 80160					
21		ing) will retain all defenses or objection				
22	4. I (or the entity on whose behalf! am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec					
23	1					
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.					
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent					
26	me in these proceedings, I identify that attorney below, along with his or her mailing address					
27	telephone number, and facsimile number:					
28						

3:7		t 650 Filed 05/09/05 Page 176 of 383
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	Marild Tarias
8		Marsid (artas
9		(Signature)
10		
11		HAROLD W FARIAS
12		(Printed or typed Name)
13		
14		Control of the second
15		(Entity, if any, on whose behalf you are appearing)
16		18 Route 338
17		WELLINGTON NV 8944C
18		(Address) (775) 465-3277
19		(Telephone number)
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25	:	
26		
27		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 177 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 3-17-05

ELLIS N FARIAS

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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. Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 178 of 383

-						
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA					
(*)	UNITED ST	ATES OF AMERICA.				
4		Plaintiff.				
5	WALKER R	IVER PAIUTE TRIBE.	IN EQUITY NO. C-125			
6		Plaintiff-Intervenor,	SUBFILE NO. C-125-B			
7	vs.					
9	WALKER R a corporation	IVER IRRIGATION DISTRICT, i. et al				
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	1.	I hereby enter my appearance in this sub	-proceeding in this case.			
.2	2.	I am filing this document with the Distri	ct Court at the following address:			
.3		Chief Deputy Clerk United States District Court for the District of Nevada				
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.6	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu (
.7	Summons, I	am mailing a copy of this document to:				
.6		Susan L. Schneider Attorney for the United States of Arterio	ca			
20		United States Department of Justice Environment & Natural Resources Divis	sion			
21		P.O. Box 756 Littleton, Colorado 80160				
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25	me in these proceedings. I identify that attorney below, along with his or her mailing address					
7	telephone number, and facsimile number:					
3.3		•				

Case 3:73	<u>-cy</u> -00127-MM	D-CSD Docum	ent 650 File	d 05/09/05 Page 179 of 383
1	Attor	ney:		
2				
3	Addro	ess:		
4		•		
5				
6	İ	e Number:		
7	Fax N	Number:		=000
8 .				Oll Ham
9				(Signature)
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11				(Printed or typed Name)
12				(2 miles of types average)
13				11.45.11
14				(Entity, if any, on whose
15				behalf you are appearing)
16				PO Box 27 Wellington
17				Nivada 87444 (Address)
18				465-2123
19				(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 180 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 3/20/05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 181 of 383

-			
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA	
3	UNITED STATES OF AMERICA.)	
4	Plaintiff,))	
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	Plaintill-Bitervenor,) Sept 22 (10) 6	
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14	United States District Court for the District of Nevada		
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20	Environment & Natural Resources Div P.O. Box 756	vision	
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27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PART	ricipate, page 1 of 2	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 182 of 383 Attomey: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 11 hongview LANE Wellington No (Address) (175)465-9012 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 183 of 383

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TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

, ,	Sill Fine	
Date: 3/18/05	Signature Fine	
•	Printed/Typed Name	
	If you are acting on behalf of any entity, identify the	at you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 184 of 383

ll.	ा. nugp aer			
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA		
3	UNITED STATES OF AMERICA.	1 1		
4	Plaintiff.	1		
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.			
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))		
10	NOTICE OF APPEARANCE AND INT	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.		
12	2. I am filing this document with the Distr	ict Court at the following address:		
13	Chief Deputy Clerk			
14 15	United States District Court for the District of Nevada 400 South Virginia Street, Suite 301			
16	Reno Nevada 89501	waiver of Service of Notice in Lieu C		
17	[ny Waiver of Service of Notice in Lieu c		
13	Summons. I am mailing a copy of this document to:			
19	Susan L. Schneider Attorney for the United States of America			
20	United States Department of Justice Environment & Natural Resources Division P.O. Box 756			
21	Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am ac	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5 If I (or the entity on whose behalf I am acting) have retained an attorney to represent			
25	me in these proceedings. I identify that attorney belo	ow, along with his or her maining address		
27	telephone number, and facsimile number:			
28				
		migrature page 1 of 2		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73	-cv-00127-MMD-CSD Docur	nent 650 Filed 05/09/05 Page 185 of 3
2		
3	Address:	
4	_	
5		
·- 6	Phone Number:	
7	Fax Number:	$\int_{\mathcal{M}} \mathcal{A} = \frac{1}{2}$
8		- July we
9		(Signature)
10		Vill Fine
11		(Printed or typed Name)
12		Q - s s s s s s s s s s s s s s s s s s
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		P.O. Box 101
17		(Address)
18		(775) 465-9012
19		(Telephone number)
20		
21		
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23		•
24		
25		
26		
27		
28		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 186 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schreider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: Wax 21, 2005	Signature Ruth Fletcher	
	Printed/Typed Name If you are acting on behalf of any entity, identify that you acting as: (Title)	u are of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service to Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a court that lacks jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. IN EQUITY NO. C-125 5 WALKER RIVER PAIUTE TRIBE, 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 I hereby enter my appearance in this sub-proceeding in this case. 1. I am filing this document with the District Court at the following address: 12 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 16 3. Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf "arm acting) will retain all defenses or objections 4. 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf "am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 188 of 383 Attorney: 1 2 Address: 3 4 5 Phone Number: б Fax Number: 7 X Ruth Fletcher 8 (Signature) 9 10 Ruth Fletcher 11 (Printed or typed Name) 12 13 14 (Entity, if any, on whose 15 behalf you are appearing) P. O. Box 6 16 Smith, NV 89430 17 (Address) 18 775-465-1098 (Telephone number) 19 20 21 22 23 24 25 26 27

28

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 189 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTETE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Sammons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain	n all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections	based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Symmons	

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action of over its person or property. A party who waives service 2 Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in cof Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver to m, provide the court and DOJ attorney S. Schneider with tice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 190 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3 20 65

Signature

Dew.

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Partner (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified or the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 191 of 383

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2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.		
4	Plaintiff.		
5	WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-125		
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B		
7	vs.		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	this case		
12	I hereby enter my appearance in this sub-proceeding in this case.		
13	2. I am filing this document with the District Court at the following address:		
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu		
17	Summons. I am mailing a copy of this document to:		
13	Susan L. Schneider Attorney for the United States of America		
19	United States Department of Justice		
20	P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf [am acting) will retain all defenses or objection		
23			
24			
25			
26	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2		

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1	Anomey.	
2	A disease	
3	Address:	
4 (·	
5	Dhana Mumber	
·- 6	Phone Number:	\sim
7	Fax Number:	Dens Rosein
8		(Signature)
9		(augusta)
10		Dennis Acciari
11		(Printed or typed Name)
12		partner
13	·	partner Flying A Lin. Lod Pal
14		(Entity, if any, on whose
15		behalf you are appearing)
16		9.0. Box 34 Sm. th Na
17		(Add-org)
18		775 - 465 - 2358
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 193 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 4/8/05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as real

Was A Danie / Elwas

(Corporate, Trust. Parmership or other onti

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 194 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/20/05

ignature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Fhire Partner

Corporate, Trust, Partnership or other entity

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 195 of 383

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2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.	<i>)</i>	
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.	<i>)</i>)	
8	WALKER RIVER IRRIGATION DISTRICT. a corporation. et al.,)))	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.	
12	2. I am filing this document with the Distr		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu	
17	Summons. I am mailing a copy of this document to:		
13	Susan L. Schneider		
19	United States Department of Justice Environment & Natural Resources Division		
20	P.O. Box 756 Littleton, Colorado 80160	31011	
21	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objectio	
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I are acting) have retained an attorney to represe		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 196 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 197 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/20/05

ighature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Partner</u>

___ of

(Corporate Trust Partnership or other entity

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to be the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has be brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives servi the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice u of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider wintice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 198 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/20/05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Partner of

Flying A Limited Fartnership

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 199 of 383

-			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.		
4	Plaintiff.		
5	WALKER RIVER PAILTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8 9	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,		
0	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
וו	 I hereby enter my appearance in this sub- 	-proceeding in this case.	
.2	 I am filing this document with the Distri 		
13 14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu	
17	Summons. I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of Americ	ca ca	
20	United States Department of Justice Environment & Natural Resources Division		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acti		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defer		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen		
26	me in these proceedings. I identify that attorney below	, along with his or her mailing addres:	
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2	

3:73	R-cy-00127-MMD-CSD [Document 650 Filed 05/09/05 Page 200 of 3
1	Attorney:	
2		
3	Address:	
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٠ 6	Phone Number:	
7	Fax Number:	D. lin Burkous
8		Acres 55
9		(Signature)
10	e c	Julius Bunkow
11		(Printed or typed Name)
12		Partner
13		Myrig A Limited Parlson
14		(Entity, if any, on whose
15		behalf you are appearing)
16		P.O. Box 36 Im the Nevada 894.
17		(Address)
18		775-465-2358
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 201 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Date: 4/8/05

Signature

Pred 1

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: ______

owner

Corporate Trust Partnership or other enti-

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu c Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 202 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as:

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 203 of 383

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.))	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,	{ }	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.	
12	2. I am filing this document with the Distri	ict Court at the following address:	
13 14	Chief Deputy Clerk		
15	District of Nevada		
16	Reno, Nevada 89501		
7	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu o		
18	Summons. I am mailing a copy of this document to		
19	Susan L. Schneider Attorney for the United States of America		
20			
21	P.O. Box 756 Littleion, Colorado 80160		
22	4. I (or the entity on whose behalf "arm acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec-		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
2.5	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address,		
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2	

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 204 of 383

1	Attorney:	
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3	Address:	
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6	Phone Number:	_
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9		(Signature)
10		Rose MARIE Bun Xoust
11		(Printed or typed Name)
12		Partner
1.3		Elying A Limited Partnesh
14		Entity, if any, on whose
15		behalf you are appearing) POBO136
16 17		Dried Gerela
18		(Address) 894/3
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 205 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 206 of 383

	ı)		
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.)	
5	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125	
£	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.)	
8	WALKER RIVER IRRIGATION DISTRICT,)	
9	a corporation, et al.,)	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
	I hereby enter my appearance in this su	h-proceeding in this case	
12			
13	2. I am filing this document with the Dist	net court at the following address.	
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 201		
16	Reno, Nevada 89501		
17	3. In the envelope provided for return of r	my Waiver of Service of Notice in Lieu	
18	Summons. I am mailing a copy of this document to:		
	Susan L. Schneider Attorney for the United States of Amer	ica	
	United States Department of Justice Environment & Natural Resources Divi		
20	P.O. Box 756 Littleton, Colorado 80160		
21		ring) will retain all defenses or phiection	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen		
26	me in these proceedings. I identify that attorney below	v, along with his or her mailing address	
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PART	ICIPATE, page 1 of 2	
- 11	_	. –	

Case 3:73 cy-0	00127-MMD-CSD Docume Attomey:	nt 650 Filed 05/09/05 Page 207 of 383
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3	Address:	
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- 6	Phone Number:	
7	Fax Number:	
8		Lamb a bonk
9		(Signature)
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11		PAMILLA A FORRISTA
12		(Printed or typed Name)
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15		(Entity, if any, on whose
16		behalf you are appearing)
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17		(Address)
18		775-463-4654
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 208 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Date: 3-17-05

Signature

NENDELL FERRESTER

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

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a notice of appearance and intent to participate.

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3	Address:	
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5	Phone Number:	
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8		(Signature)
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10		WENDER FOREST
11		(Printed or typed Name)
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14		(Entity, if any, on whose
15		behalf you are appearing) OUAIL LANTE
16		YERINGOUN, NEW 69447
17		(Address) (775) 463 4654
18 19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 210 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy me. of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PATJTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susar L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-17-05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: _____(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beau the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has bee brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service f the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider wi a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 211 of 383

2	i	IN THE UNITED STATE FOR THE DISTRIC	DISTRICT COURT OF NEVADA	
3	UNI	TED STATES OF AMERICA.)	
4 6		Plaintiff.) IN EQUITY N	O. C-125
6	WAI	LKER RIVER PAIUTE TRIBE. Plaintiff-Intervenor,	SUBFILE NO.	C-125-B
7)	
8	13.7 A	vs. LKER RIVER IRRIGATION DISTRICT,) }	
9	a cc	NOTICE OF APPEARANCE, A.N.	D INTENT TO PARTICI	PATE
10				
11		1. I hereby enter my appearance in t	us sub-proceeding in the follow	ving address:
12	2	 I hereby enter my appearance to I am filing this document with th 	District Court at the follow	.
13		Chief Deputy Clerk United States District Court for t District of Nevada 400 South Virginia Street, Suite		
1: 1		Reno. Nevada 89501 3. In the envelope provided for ren	rn of my Waiver of Service	of Notice in Lieu c
	ļ\	ummons. I am mailing a copy of this docume	it to:	
1	3 9	Susan L. Schneider Attorney for the United States of United States Department of Ju Environment & Natural Resour	f America	
2	21		I am acting) will retain all o	defenses or objection
:	22	Littleton, Colorado 80100 4. I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a def		ions based on a defec
	23 1	co among or in the Se	WICE OF THE TAOMICA IN	
	- 11	to the lawsuit or to the jurisdiction of the Notice in Lieu of Summons. in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe		
	25	5. If I (or the entity on whose details rine in these proceedings, I identify that attor	ney below, along with his o	or her mailing address
	26 27	telephone number, and facsimile number:		
	23		nage	1 of 2
		NOTICE OF APPEARANCE AND INTENT	TO PARTICIPATE, Page	•

Case 3:78-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 212 of 383 Attomey: Address: Phone Number: Fax Number: (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 213 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- Susan L. Schneider, attorney for the United States of America TO:
- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the Distric: of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
 - 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTIE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) he served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
 - 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
 - 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 6-9-04/

GERGIE W FBASER
Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as ____OW777ER

(Corporate, Trust, Partnership or other entity)

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Numer 4 of the Federal Rules of Civil Frocedure requires certain parties to eveperate in saving unnecessary costs of service of the Professor Blocd of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear

It is not good cause for a failure to waive service that a party believes that the clarits of the opposing parties are unfounded, or that the action has been the cost of such service unless good cause be shown for its failure to sign and return the waiver. brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service Notice in Lieu of Summons retains all defenses and objections (except ony relating to the Notice in Lieu of Summons or to the service of the Notice in

of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought. anumons), and may rater object to the jurisdiction of the court or to the pract while the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with the court and the court and DOJ attorney S. Schneider with the court and t a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 214 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	James 11 Julilon	
Date: 3-21-2005	Signature Same it Fulstone.	
	Printed/Typed Name If you are acting on behalf of any entity, identify that you a	are of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu (Summons and the First Amendec Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to be: the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed-05/09/05 Page 215 of 383

T.	t hagged "	3	
-		COURT	
2	IN THE UNITED STATES DI FOR THE DISTRICT O	F NEVADA	
3	UNITED STATES OF AMERICA.		
4	Plaintiff.		
5	WALKER RIVER PAILTE TRIBE,	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	VS.		
8	WALKER RIVER IRRIGATION DISTRICT, a comporation, et al.,		
9	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub-proceeding in this case.		
12	2. I am filing this document with the District Court at the following address:		
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	In the envelope provided for return of my Waiver of Service of Notice in Lieu o		
17	Summons. I am mailing a copy of this document ic:		
13	Susan L. Schneider Attorney for the United States of America		
. 0	United States Department of Justice Environment & Natural Resources Division		
20	P.O. Box 756 Littleton, Colorado 80160		
21	4. I (or the entity on whose behalf I am ac	ting) will retain all defenses or objections	
22	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec		
23	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
25	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
28			
20	NOTICE OF APPEARANCE AND INTENT TO PART	ricipate, page 1 of 2	

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Case 3:7	g-cy-00127-MMD-CSD Documer	nt 650 Filed -0 5/09/05 Page 216 of 383
1	Attomey:	
. 2		
3	Address:	
4	· •	
5	j	
6	Phone Number:	
7	Fax Number:	Janeer H. Fulilon
8		(Signature)
9		> (0:Binima)
10		James 14 Fulstone
11		(Printed or typed Name)
12		
13		·
14		(Entity, if any, on whose
15		behalf you are appearing) 156-Lower Colony Welling Ton NU 89444
16		Wellington NU 89444
17		(Address)
18		775-465-2373 (Telephone number)
19		(Terephone name)
20		
21		
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28		

Case 3:73-cv-00127-MMD-CSD Document 650 F104 05/09/05 Page 217 of 383

A.P.N. 14-301-03

Escrow No.: LY-302643-DA RPTT \$121.55, computed on full

RECORDING REQUESTED BY:

Northern Nevada Title Company

MAIL TAX STATEMENTS AND WHEN

RECORDED, MAIL TO:

Scott D. Rader 3155 Lucerne Way

Sparks, NV 89431

UFFICIAL RECORDS LYON COUNTY, NEV. RECORD REQUESTED BY

NORTHERN NEVADA TITLE CO. (13 AUG - 1 PM 3: 11

> MARY C. MILLIGAN COUNTY RECORDER

> 430 m

THIS SPACE FOR RECORDER'S USE ONLY

GEANT, BARGAIN, SALE DEED

That Paul Gelles and Eleanor C. Gelles, Husband and Wife and Paul J. Gelles and Lynne R. Gelles, Husband and Wife as Joint Tenants with Right of Survivors aim Consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, with and Convey to Scott D. Rader and Krys Rader, Husband and Wife as Joint Tenants with Right of Survivors of Lall that real property in the County of Lyon, State of Nevada, bounded and described as follows:

See Exhibit "A" attached bereto and made a part hereof

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT DESCRIBED PROPERTY.

THEHEREIN

Together with all singular the tenements, hereditaments and appurtenances thereu ato belong to thin anywise appertaining.

Tated: July 25, 2003

Paul Gelles

Eleanor C. Gelles

SIGNED IN COUNTERPART

Paul J. Gelles

SIGNED IN COUNTERPART

Lynne R. Gelles

301412

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 218 of 383

The second secon
STATE OF)
COUNTY OF)
On personally appeared before me, a Notary Public, Faul Gelles and Eleanor C. Gelles who acknowledged that they executed the above instrument.
Signature(Notary Public)
W Company of the comp
STATE OF Vloaho
COUNTY OF BINGLYM)
On 7-30-03 personally appeared before me, a Notary Public, Faul J. Gelles and Lynne R. Gelles who acknowledged that they executed the above instrument.
Signature Pulle Pu
Commission axpirle: 3-17-2009
AUEING O
-Os_

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 219 of 383

LY-302643-DA 302643

EXHIBIT "A" ATTACHED TO GRANT, BARGAIN, SALE DEED

EXHIBIT "A"

All that certain real property situate in the county of Lyon, State of Nevada, described as follows:

A parcel of land located in Section 33, Township 14 North, Range 25 East, M.D.B.&M. and described as follows:

Commencing at the North of corner of Section 33, Township 14 North, Range 25 East, M.D.B.&M., from whence the North of the of said Section 33 bears N 89° 51' 49" W; thence S 01° 20' 44" W a distance of 2699.72 feet to be true paint of beginning; thence around the parcel as follows:

S 0° 17' 46" W along the Western all the lower of State Route 95A a distance of 282.89 feet; thence S 89° 10' 16" W a distance of 199.86 feet; thence S 78° 27' 30" W a distance of 193.50 feet; thence S 03° 57' 43" W a distance of 227.85 feet; thence S 03° 57' 43" W a distance of 57.02 feet to the South line of the "Painter Property" as shown of May File No. 103717, Lyon County Records; thence N 89° 40' 00" W a distance of 858.81 feet; thence N 05' 161-23" E a distance of 652.20 feet to the South line of Penrose Country Club Estates Map File No. 91° 49, I pon County Records; thence S 89° 38' 00" E along said line a distance of 924.60 feet to a rock wall; thence S 02° 38' 16" W a distance of 1.97 feet to the Southwest corner of the wall; thence along the Southwest corner of the wall; thence along the Southwest corner of 86.93 feet; thence S 89° 32' 16" W a distance of 87.11 feet; thence S 89° 02' 51" E a distance of 100.58 feet; thence S 54° 19' 28" E a distance of 87.11 feet; thence S 57° 12' 48" E a distance of 36.30 feet to the true point of beginning.

Reference is hereby made to that certain Record of Survey / Boundary Line Adjustment for Doris J. Thompson and Paul Cielles & Eleanor C. Gelles, recorded in the Officia. Results of Lyon County, Nevada on July 7, 1999 as Document No. 236141 and as amended by Carricate of Amendment recorded July 15, 1999 as Document No. 236451.

Note: Legal description previously contained in document recorded July 1, 2002 and Develop No. 279167.

					YERINGTO	YERINGTON, NEVADA						
Card #: 42128				ļ						Index No.		
Name: Scott D	Scott D. & Krys Rader									Lyon County No.	14-301-03	a
1				!						Claim No.		SE
Address: 3155 Lt	3155 Luceme Way									User #	J	9
Sparks	Sparks, NV 89431				O. & ₩.	O, & M. Local No. 2				Ditch	Campbell	3:7
Court Decree:												73-
PRIORITY C.F.S.	ACRES	YLNO	CAYS	ACRE FEET REQUIRED	RECUIRED	ACRE FEET APPORTIONED	TOPAZ RES. ACRE FEET	BRIDGEPORT RES. ACRE FEET	CLAIM #	TOTAL ACRES	1	CV-
NEWL	17.090	3.2076	65	1.5444	26.390					Water Bt Arres		00
A.					26.390	26.39	18.10	8.29		Non Wir Rt Acres		12
										Acre Feet Storage		7- 1 8 8 8 8 8 8 8 8 9 8 9 9 9 9 9 9 9 9 9 9
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LEGAL DESCRIPTION:			-	¥.	E. T. C.	≥- 398.	COMMENTS	ä	•			-C
Fr. N 1/2 of NE 1/4 of SE 1/4, T 14 N - R 25 E	SE 1/4, Sec. 33;						10/29/03	10/29/03 - Transferred from	om card 19710	0 - Gelles		SD
DOCUMENT HISTORY:												P
DOCUMENT #	DATE	DESCRIPTION	N.C									OC
#46-564	03/09/64	Herbert	enrose to	Herbert Penrose to Charles & Mildred Painter	dred Painter.							u
#52-323,4	02/01/69	Charles	painter to	Charles Painter to Mildred S. Painter.	ıter.					-		m
#03275	07/101/70	Charles	Painter to	Charles Painter to F. & Velma Car	ampbell			:				er
#26443	05/28/76	Veima C	ampbell to	Velma Campbell to Charles F. Car	ampbell.	, i						nt
# (F)	03/18/60	Charles	Campbeii	Charies Campbell to William និ កីបច់Y Lowery	!	i i						6
**132800	04/13/90	William	Ruby Lo	William & Ruby Lowery to Paul &	& Eleanor and Da	Paul & Lynn Gelles	ya.					5 (
#236141	65/10/10	Record (of Survey?	Record of Survey/Boundary Line	Adjustment for	e Adjustment for Doris J. Thompson & Paul & Eleanor C.	pson & Paui &	Eieanor C. Geiles	35			רָל
#236143	07/07/99	Marian F Gelles, h	Inkerton, usband a	acting Lyon Cond wife as Join	ounty Clerk & E t Tenants	x-officio Clerk (on behalf of Pa	ui Geiles & Elea	nor C, Geiles	quitciaims to Pau	i & Eleanor C.	FIIE
#301412	08/01/03	Paul & E and wife	leanor C. as Joint 1	Gelles, husban enants	d and wife and	Paul J. & Lynn	R. Gelles, hus	band and wife a	s Joint Tenar	nts to Scott D. & Kr	ys Rader, hust	e C
										05/09/05 Pa		05/09/05 Pa
												ge 220
	,									WR	70/0£/90 QI	of 383

ATION DISTRICT

WALKER RIVE

ase 3:73-cy-00127-MMD-CSD Document 650 Filed 05/69/85 Page 221 of 383

OFFICIAL RECORDS LYON COUNTY, NEV. RECORD REQUESTED BY

APN: 004-391-07 **RPTT \$1244.10**

WESTERN TITLE CO. INC. 04 JUN 23 PH 3: 37

WHEN RECORDED MAIL TO: ALLAN R. SIMPSON

MARY C. MILLIGAN

Street

Name

COUNTY RECORDER

Address

City,State

YERINGTON, NV 89447

1397 HIGHWAY 208

Zip

MAIL TAX STATEMENTS TO:

Name Street

ALLAN R. SIMPSON 1397 HIGHWAY 208

Address City, State

YERINGTON, NV 89447

Zip Order

00089913-201-SLG

No.

8695

(SPACE ABOVE THIS LINE FOR RECORDERS USE)

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSETH: That

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, MARIO J. GHIO JR and DIANA D. GHIO, TRUSTEES OF THE GHIO FAMILY TRUST DATED JULY 3, 2003, do(es) hereby GRANT(s) BARGAIN SELL and CONVEY to A.I.AN R. SIMPSON, an unmarried man and TIMOTHY D. SWENSON and MICHELE T. SWENSON, husband and wife, as joint tenants ALL TOGETHER AS JOINT TENANTS and to the news and assigns of such Grantee forever, all the following real property situated in the City of N/A County of LYON, State of Nevada bounded and described as follows:

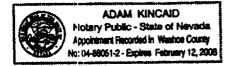
LOT 6 AS SHOWN ON THE OFFICIAL MAP OF WALKER RIVER RANCH, RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON JUNE 5, 1972 AS DOCUMENT NO. 10568

TOGETHER with all tenements, hereditaments and appurtenances if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: May 24, 2004

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 222 of 383

Grant, Bargain and Sale Deed - Page 2



Notary Public

	Case 3:	73- <u>c</u> y- <mark>0</mark>	127-M	p-cs	DΠ	ДĊ	CU	ım	ner	nt	<mark>65</mark> 0	H	ilec	L05/09/05 Page 223 of 383
	Fm-376 4-391-07 1889 D.&.GW			73							2000		imothy D. & Mich	WRID 06/30/04
·	Index No. Lyon County No. Cłaim No. User # Ditch	TOTAL ACRES	Non WY RL Acres	- card #19719, user #2373							State property	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Mario J. Ghio, Jr. & Diana D. Ghio, Trustees of the Ghio Family Trust dated 7/3/03 to Allan R. Simpson, an unmarried man and Timothy D. & Michel T. Swensen, husband and wife as Inint Tenants all together as Inint Tenants.	WRI
		CLAIM#		Ghio					; ;		J Ghlo and	Ohlo Camilia	pson, an unr	
		BRIDGEPORTR ACRE FEET	an.	COMMENTS: 08/14/03 - Changed to Trust 06/28/04 - Transferred from Ghio				1	r Trust. S Diana D. Ghio.	rate property.	Mario J. Ghio, a married man and husband of grantec to Diana D. Ghio, a married woman as her sole and separate property Diana D. Ghio, who acquired title as a married woman as her sole and chearate property to Mario J. Ghio and Diana D. Ghio	d and wife to Mario Ghio ir & Diana D Ghio Tructors settle Chic E	to Allan R. Sim	
STRICT		TOPAZ RES. ACRE FEET	2.0	COMMENTS 08/14/03 - 06/28/04 -					schuster Family	ier sole & separ	3hlo, a married	Diana D. Chio	ust dated 7/3/03	
ATION DISTRICT	AGRE FEET APPORTIONED 8.30		TRANSPORT CALLED AND THE CONTRACTOR OF THE CALLED AND THE CALLED A		The Waiker RiverRanch to Martin & DonnaSchuster, 1976-77 Roll.	ir, 1976-77 Roll.	Donna R. Shuster to Donna R. Schuster, Trustee of the Donna R. Schuster Family Trust. Donna R. Schuster as Trustee of the Donna R. Schuster Family Trust to Mario J. & Diana D. Ghio.	Donna R. Schuster as Trustee of the Donna R. Schuster Family Trust to Marlo J. & Diana D. Gh. Marlo J. Ghio, a married man to Diana Ghio, a married woman as her sole & separate property. Marlo J. Ghio, a married man and investigant of married.	Historic of grantec to Diana D. Ghlo, a married woman as liet sole and separate property S. Allo as huband and spearate property to Mario J. Ghlo and Diana D. Chio as huband and wife as C.	in 1 Ghin ir &	Marlo J. Ghio, Jr. & Diana D. Ghio, Trustees of the Ghio Family Trust dated 7/5. T. Swensen, husband and wife as logist Tenants all tonesher as Injust Tenants.			
WALKER RIVE YERIN		ACRE FEET REQUIRED RACRE 10592 8.100					& DonnaSchust	Transfer Transfer	uster, Trustee o	ana Ghio, a mar	s a married won	and wife to Mar	Trustees of the	
WAL		AGRE FEET PER AGRE		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		K.	inch to Martin	Sceased.	Donna R. Schuster as Trustee of ti	ried man to Di	Mario J. Ghio, a married man and i Diana D. Ghio, who acquired title a	Joint Tenants Mario J. & Diana D. Ghio, husband	Diana D. Ghio, d and wife as	
		DAYS STORAGE		3 & 10;	12	NO.	ker River Ra	Martin Schuster - Deceased.	Schuster a	Ghio, a mar	Ghio, a mar Ghio, who a	ants & Diana D. (Ghio, Jr. & I	
	Swenson	4.2768		, Sections		DESCRIPTION	The Wall	Martin S	Donna R	Mario J.	Mario J. Diana D.	Mario J. & Dia	Mario J. T. Swens	
	Allan R. Simpson Timothy D. & Michele T. Swenson 1397 Hwy 208 Yerington, NV 89447	ACRES 4.030		Cot #8, Walker River Ranch Subdivision, Sections 9 & 10; T 11 N, R 26 E.		DATE	06/04/76	09/01/93	07/28/94	08/31/98	09/24/99	07/25/03	06/23/04	
	Allan R. Simpson Timothy D. & Mic 1397 Hwy 208 Yerington, NV 86	S.F.S.		on: er River Ran 26 E.	RY:						:			
Division #:	Card #: Name: Address: Court Decree:	PRIORITY NEWL TOTAL		Legal Description: Lot #8, Walker F T 11 N, R 26	DOCUMENT HISTORY:	DOCUMENT #	#26502	#164200	#173856	#223030	#239442	#300869	#324026	

	•
ase 3:73-cy-00127-MMD-CSD Do	cument 650 Filed 05/29/42 Page 224 of 383
	UFFICIAL RECORDS LYON COUNTY, NEV.
A.P.N. # 10-331-34	RECOND REQUESTED BY
R.P.T.T. \$ 8580.00	STEWART TITLE OF CC.
ESCROW NO. 04040146 RECORDING REQUESTED BY:	04 JUN -4 AM 8: 12
STEWART TITLE COMPANY	MARY C. HILLIGAN
MAIL TAX STATEMENTS TO: SAME AS BELOW	COUNTY RECORDER
	EEE // NEP /M
WUEN BECORDED MAIL TO	1847
WHEN RECORDED MAIL TO: GRANTEE	
1320 HIGHWAY 395 N GARDNERVILLE, NEVADA 89410	
GARDNERVIDIE, NEVADA 69410	(Space Above for Recorder's Use Only)
GRANT, BARGA	IN, SALE DEED
THIS DEED IS BEING SIGNED IN	COUNTERPART II. C. GILEERT' AND ANGEL KERR
THIS INDENTURE WITNESSETH: That MICHAE GILBERT, HUSBAND AND WIFE AND	F & M PI, LLC. a Nevada
Limited Liability Company	:
in consideration of \$10.00, the receipt of which is here!	ny arknowledged does hereby Grant Baronia Cell
in consideration of \$10.00, the receipt of which is heret and Convey to GR 8DEAL, LLC., A NEVAL	A LIMITED LIABILITY COMPANY
and to the heirs and assigns of such Grantee forever, all County of Lyon	that real property situated in the State of Nevada, bounded and described as:
	RETO AND MADE A PART HEREOF
Together with all and singular the tenements, hereditam	ents and appurtunances thereunto belonging or in
anywise appertaining, and any reversions, remainders, r	ents, issues or profits thereof.
DATE: May 27, 2004	\bigcap_{α}
	WI CONTROL OF THE PROPERTY OF
J & M PI, LLC	MICHARI C. GILBERT
Ву:	Mosel him Tillean
JADE A. MILLER	ANGEL RERR GILBERT
BY:	
TENLEY V. MILLER	
	CAROL COSTA Notary Public - State of Nevada
	Appointment Recorded in County of Douglas
STATE OF Medada 9202215	My Appointment Expires Nov. 4, 2004
STATE OF TODA (15) ss.	
COUNTY OF A COLUMY }	
This instrument was acknowledged before me on 6-	1-04
by MICHAEL C. GILBERT and ANGEL K	ERR
GINDRAT AND O & R PI, LLC	
Signature arof Costa	
Notary l'ublic (One inch margin on all sid	es of document for Recorder's Use Only)

A.P.N. # 10-331-34	
R.P.T.T. \$_8580. ESCROW NO. 04040146 RECORDING REQUESTED BY: STEWART TITLE COMPANY	
MAIL TAX STATEMENTS TO: SAME AS BELOW	
WHEN RECORDED MAIL TO: GRANTEE	
1320 HIGHWAY 395 N GARDNERVILLE, NEVADA 89410	(Space Above for Recorder's Use Only)
GRANT, BAR	GAIN, SALE DEED
THIS INDENTURE WITNESSETH: That MIC GILBERT, HUSBAND AND WIFE AN Limited Liability Company	HAEL C. GILBERT AND ANGEL KERR ID J & M PI, LLC. a Nevada
in consideration of \$10.00, the receipt of which is and Convey to GR8DEAL, LLC., A NE	hereby acknowledged, does hereby Grant, Bargain Sell
	State of Nevada, bounded and described as: HERETO AND MADE A PART HEREOF ditaments and appure triances thereunto belonging or in
JEMPI, LLC	MICHAEL C. GILBERT
BY:	ANGEL KERR GILBERT
JADE A. MILLER	ANGEL REKR GIUDERI
BY: Janey M. MILLER TENLEY V. MILLER	ANGEL REAR GILDERI
BY: Janua M. Miller TENLEY V. MILLER	CAROL COSTA Notary Public - State of Nevada
BY: Janua M. Miller TENLEY V. MILLER	CAROL COSTA
STATE OF MILLER STATE OF MILLER STATE OF MILLER SECOUNTY OF Carson Coty Sec.	CAROL COSTA Notary Public - State of Nevada Appointment Recorded in Courty of Douglas My Appointment Expires Nov. 4, 2004
BY: Janua M. Miller TENLEY V. MILLER	CAROL COSTA Notary Public - State of Nevada Appointment Recorded in Courty of Douglas My Appointment Expires Nov. 4, 2004

EXHIBIT 'A'

ALL THAT CERTAIN REAL PROPERTY BEING A PORTION OF SOUTH 1/2 OF SOUTHEAST 1/4 OF SECTION 22, AND NORTHEAST 1/4 AND NORTHWEST 1/4 OF SOUTHEAST 1/4 OF SECTION 27, T 11 N, R 23 E, M.D.B.&M., LYON COUNTY, NEVADA, DESCRIBED AS FOLLOWS:

PARCEL 1-A, AS SHOWN ON THE PARCEL MAP PREPARED FOR WEAVER PROPERTIES, L.L.C., RECORDED IN THE OFFICIAL RECORDS OF LYON COUNTY, NEVADA ON APRIL 23, 1999, AS DOCUMENT NO. 232837.

ASSESSOR'S PARCEL NO. 10-331-34

"TOGETHER WITH approximately 281 acre feet of storage water rights from Topaz Lake appurtement to the property".

WRID 06/30/04

Weaver Properties L.L.C., a Nevada Limited Liability Company to Michael C. & Angel Kerr Gibert, husband and wife as Joint Tenants as to an

Michael C. & Angel Kerr Gilbert, husband and wife and J & M Pl, LLC, a Nevada limited company to GR&DEAL, LLC, a Nevada limited liability

Jade and Tenley V. Miller, husband and wife as Joint Tenants (an und. 1/2 int.) to J & M PI, LLC. a Nevada Ilmited liability company

06/04/04

#322342

#322341 #282766

06/04/04

undivided 1/2 interest and Jade & Tenley V. Miller, husband and wife as Joint Tenants, an undivided 1/2 interest

Parcel Map for Weaver Properties, L.L.C.

04/23/99

#232837

09/18/02

Exhibit 65

227 of 383

C) 801 218.8 3:7 108.280 28 Documer William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to William M. Weaver & Rosemar Andrew G. Sayre, Jr. & Mark Arrighl, Successor Trustees to Cora Sayre, deceased, to William M. Jr. & Rosemary F. Weaver. Trustees of the William M. Weaver, Jr. Revocable Trust Agreement. Parcel Map of Portion of Sec. 22, £ 27, ₹ 44 M. P. 23 E. for William M. Weaver & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust. William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Revocable Trust Agreement to Weaver Properties, L.L.C., a Weaver Properties, L.L.C., a Nevada Limitied Liability Company to Weston L. Wright, an unmarried man & Sandra Lynn McCombs, an unmarried 10-331-34 Colony 297-A 2556 10/15/02 - Transferred from card #56136 - Weaver Properties 02/11/04 - Assigned new APN by County 06/17/04 - Transferred from card #19776, Gilbert & Miller 06/17/04 - Transferred from card #18776 - Gilbert & J&M PI, LLC Lyon County No. Von Wtr Rt. Acres Acre Feet Storage Water Rt. Acres TOTAL ACRES Boundary Line Adjustment for William M. Weaver, Jr. & Rosemary F. Weaver, Trustees of the William M. Weaver, Jr. Trust. Index No. Claim No. User # Ditch CLAIM* 8 BRIDGEPORT RES ACRE FEET 218.86 COMMENTS TOPAZ RES ACRE FEET YERINGTON, NEVADA 218,86 APPORTIONED O. & M. Local No. 1 ACRE FEET Parcel Map of Portions of Sec. 22, & 27; T 11 N - R 23 E. 218.852 100,011 TOTAL ACRE FEET REQUIRED Cora G. Sayre to Cora Sayre Trust. Nevada Limited Liability Company. 2.0502 PER ACRE STORAGE DAYS * Joint Tenant DESCRIPTION ₽UT 4.27RS Gardnerville, NV 89410 ACRES 108.280 106 280 1320 Highway 395N 11/09/62 08/22/97 12/09/97 07/30/87 12/09/97 02/11/98 DATE 2/27/96 03/27/97 12/19/97 GR8DEAL, LLC Parcel 1-A of PM 232837 C.F.S Pr. NE 1/4, Sec. 27, T 11 N, R 23 E. LEGAL DESCRIPTION DOCUMENT HISTORY: Court Decree OCUMENT # PRIORITY TOTAL #201089 Address #109226 #209100 #212989 #213378 #46-289 #215183 NEWL #203640 #212988 Name: Card #:

ITION DISTRICT

WALKER RIVER IF

Division #:

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 228 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America.

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAJUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

X Date: 3/21105	Signature Yed Glassis: SM Printed/Typed Name If you are acting on behalf of any entity, identify that y acting as: (Title)	ou are of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been rought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service in Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 229 of 383

1		
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA	
3	UNITED STATES OF AMERICA,	
4	Plaintiff)	
5	WALKER RIVER PAIUTE TRIBE, IN EQUITY NO. C-12	:5
6	Plaintiff-Intervenor, SUBFILE NO. C-125-B	
7	vs.	
9	WALKER RIVER IRRIGATION DISTRICT.	
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this sub-proceeding in this case.	
12		ess:
13		
14		
15	ADD C. LAW C. C. College CO.	
16	·	in Lieu 01
17	Summons. I am mailing a copy of this document to:	
13	Susan L. Schneider	
19	United States Department of Justice	
20	P.O. Box 756	
21	li de la companya de	. 1. 1
22		
23		
24		
25		
26	me in these proceedings, I identify that attorney below, along with his or her mailin	g address,
27	telephone number, and facsimile number:	
28	B	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 230 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	x Spal Slash
8		
9		(Signature)
10		= lalashira
11		(Printed or typed Name)
12		(Cambon of types)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		X TO BOX 302 Wellington
17		(Address)
18		775-4659612
19		(Telephone number)
20		
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 231 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/21/DS

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been bought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

1		
2	IN THE UNITED STATES D FOR THE DISTRICT O	
3	UNITED STATES OF AMERICA,)
4	Plaintiff.)
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7) SOBI ELE IVO. C-125-5
8	VS.))
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.
12	2. I am filing this document with the Distr	
13	Chief Deputy Clerk	or come at the following address.
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16 17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu o
18	Summons, I am mailing a copy of this document to:	
	Susan L. Schneider Attorney for the United States of America	
19	United States Department of Justice Environment & Natural Resources Divis	
20	P.O. Box 756	SION
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objections
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect
24	in the Notice in Lieu of Summons or in the service of th	ne Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am action	ng) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,
27	telephone number, and facsimile number:	
28		
- 1		

Case 3:7%-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 233 of 383 Attorney: Address: Phone Number: Fax Number: (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

.Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 234 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PATUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3- 27-05

Signature

Chery L. Gorginet

Printed/Typea Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver for in, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1		
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA
3	UNITED STATES OF AMERICA,	
4	Plaintiff,	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.))
8	WALKER RIVER IRRIGATION DISTRICT. a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.
12	2. I am filing this document with the Distri	ict Court at the following address:
ا دُ1	Chief Deputy Clerk United States District Court for the	
14	District of Nevada	•
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for returns of n	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider Attorney for the United States of Ameri	ion
19	United States Department of Justice Environment & Natural Resources Divi	
20	P.O. Box 756 Littleton, Colorado 80160	3.011
21		ting) will retain all defenses or objections
22	4. I (or the entity on whose behalf I am act to the lawsuit or to the jurisdiction or venue of the cou	
23	in the Notice in Lieu of Summons or in the service of t	
24		
25		
26	me in these proceedings, I identify that attorney below	w, along with his of her maining address,
27	telephone number, and facsimile number:	
28		
		rarname bace 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 236 of 383

1	Attorney:	
2		•
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Charl I Sf
9		(Signature)
10		
11		Cheal L Goffinet
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		12 Tingle-
27		
18		(Address) 775- 443-2311
19		(Telephone number)
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28		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 237 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-12-05

Signature

Lonnie

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA, 4 Plaintiff. 5 IN EOUTTY NO. C-125 WALKER RIVER PAIUTE TRIBE. 6 SUBFILE NO. C-125-B Plaintiff-Intervenor, 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 I hereby enter my appearance in this sub-proceeding in this case. 1. 12 I am filing this document with the District Court at the following address: 2. 16 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 30% 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu o 3. Summons. I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 239 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) 1.3 (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 240 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIDTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) he served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

X Date: March 18-05	Y Gnore (6) Shote	
	ANGELO GROSO Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you a	are
		of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in action has been brought.

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 241 of 383

1			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.		
4	Plaintiff,))	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	VS.))	
8	WALKER RIVER IRRIGATION DISTRICT. a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
12	 I hereby enter my appearance in this sub 	p-proceeding in this case.	
12	2. I am filing this document with the Distr		
13	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	·	ny Waiver of Service of Notice in Lieu o	
17 18	Summons. I am mailing a copy of this document to:		
19	Susan L. Schneider Attorney for the United States of Art.eri	ica	
20	United States Department of Justice Environment & Natural Resources Divi	sion	
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf ! am ac	ting) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cou	irt except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of t	the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below	w, along with his or her mailing address.	
27	telephone number, and facsimile number:		
28			

Case 3:7\$-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 242 of 383 Attorney: Address: Phone Number: Fax Number: angels Grose (Signature) ANGELO GROSO (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) P. O. Box 14 Wellington, NV 89444 (Address) 775 - 465-2377 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 243 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

O: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 2-14-25

Signature

Maxine J. Groso

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: <u>Trustee</u> of

The Ernest & Maxime Jo 2000 Family Trust Agreement

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with of appearance and intent to participate.

When Recor Mail to:

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 95/09/05 Page 244 of 383 MAXINE JO GROSO

P.O. Box 317
Wellington, NV 89444

A.P. # 010-641-04:05;06

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE made this 8 day of June, 2000, by and between MAXINE JO GROSO, Individually and MAXINE JO GROSO, as Guardian of the Person and Estate of ERNEST GROSO, as husband and wife, joint tenants with right of survivorship, of Lyon County, Nevada, "GRANTORS", and MAXINE JO GROSO, as Trustee of the ERNEST GROSO and MAXINE JO GROSO 2000 FAMILY TRUST AGREEMENT, dated

WITNESSET H:

That the Grantors, do by these presents grant, bargain, sell and convey unto the Grantees and to their successors and assigns, without consideration, all right, title and interest in that certain real property situate in Lyon County, State of Nevada, and more particularly described as follows, to wit:

All the real property residence in Wellington, situate in the County of Lyon, State of Nevada, more particularly described as follows:

 $p_{AB} = 1$

Case 3:73-cv-00127-MMD-CSD-Document 650 The 05/09/05 Page 245 of 383 2, Township 10 North, Range 23 East, M.D.B.&M.,

at Wellington, Smith Valley, Lyon County, Nevada, more particularly described as follows:

COMMENCING at the 1/16th section corner which bears North 1323.40 feet, from the South 1/4 corner of said Section 2, proceeding North 19038'22" East 494.23 feet, to a point on the Westerly right of way line of Nevada State Highway Route 3, where said right of way line is intersected by the property line between the Groso Property (Post Office) and the Compston Property; proceed thence along said property line, South 48°34' West, 278.00 feet, to the true point of beginning, which is the most easterly corner of this parcel; proceed thence South 48034' West 106.00 feet, to a point on the North bank of the Plymouth Ditch; thence North 78°55' West, 128.00 feet, along said ditch bank, to a point, thence North 41004' West 135.96 feet, to a point on the Southerly line of a 36 foot wide easement for road and utilities, thence along said Southerly easement line, North 78047' East 128.67 feet, to a point; thence continuing along said Southerly line, South 70047' East, 80.00 feet, to a point; thence South 40°32'20" East, 142.55 feet, along the boundary between this pricel and the Groso property (Post Office) to the true point of beginning.

And:

All that real properly situate in the County of Lyon, State of Nevada, described as follows:

PARCEL 4:

Commencing at Monument No. 1 which is located 59.90 feet North of the northwest corner of the SW1/4 of the SE1/4 of Section 2, Township 10 North, Range 23 East, M.D.B.&M.; thence South 41°26' East 285.00 feet; thence South 48°34' West 30.00 feet to the true point of beginning for the description of this parcel of land; thence South 48254' West 384 feet to a point on the north hank

Case 3:73-cv-004271-MANDACS PPEROCUMENT 650 FJed 25/09/05 Bage 246 of 383 north bank of said ditch North 78 55 FJED 25/09/05 Bage 246 of 383 feet to a two inch iron pipe in the north bank of said ditch; thence north 41004' West 584.60 feet. to an iron pin in the south bank of the Burbank Ditch; thence North 73010' East 109.8 feet to an iron pin in the south bank of the Burbank Ditch; thence North 89°10' East 164.60 Feet to a point on the south bank of the Burbank Ditch; thence South 80049' East 168.80 feet to a pin in the south bank of the Burbank Ditch; thence North 70°54' East 74.30 feet to a point on the south bank of the Burbank Ditch, thence North 63000' East 57.00 feet to the westerly side of the highway; thence south 41026' Bast 362.00 feet along the westerly side of the highway to the true point of beginning.

And:

All that real property situate in the County of Lyon, State of Nevada described as follows: (Known as the Commercial Bldg./Equipment lot)

Beginning at the southeast corner of the parcel on the westerly side of the State Highway right of way, said point of beginning being described as bearing North 5035' East 585.23 feet from the established one-sixteenth corner, designated as the southeast corner of the NEI/4 of the SW1/2 of said Section 2, said one-sixteenth corner, a rock mound, being North a distance of 1323.40 feet from the south one-quarter corner of Section 2, Township 10 North, Range 23 East, M.D.B.&M.; thence from the point of beginning South 50°59' West 244 feet to a point which is 5 feet southerly from the southwest corner of the socalled Hoye Store Building; thence South 70047' West 95 feet to the southwest corner of the parcel; thence North 4052' West 275 feet to a point on the south bank of the Burbank Ditch and the northwest corner of the parcel; thence North 78042' East 49.60 feet to a fence corner at the morthwest corner of the Werner lot; thence South 42003' East along the fence line 97 feet to the fence corner; thence North 43030' East along the tence line is feet; more or less, to the State

Case 3:73-cy=00427=1400005SM34D thence South 140 East along said right of way 83.30 Gent led 250905 Page 247 of 383 thence South 42025 East along said right of way 62 feet to the point of beginning.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the remainder and remainders, reversion and reversions, rents, issues and profits thereof.

TOGETHER WITH the appurtenances and all the estate and rights of the Grantors in and to said premises.

IN WITNESS WHEREOF, the Grantors have executed this deed the day and year first herein above written.

MAXINE JG GROSQ Individually

MAXINE JO GROSO, Guardian of the

Person and Estate of

ERNEST GROSO

STATE OF NEVADA

88.

COUNTY OF WASHOE

BARBARA KAY REESE

PARTY Public, State of Levade

Consistency No. 92-1551-2

Party Capiros Oct. 15, 2000

NOTARY PUBLIC in and for said County and State.

11.10.10

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 248 of 383

249667

OFFICIAL RECORDS LYON COUNTY, NEV. RECURD FEQUESTED BY

HENRY W. CAVALLERO

00 JUN 29 AH 11: 38

MARY C. HILLIGAN COUNTY RECORDER

FEE (100 DEP. 28

FILED

1	The state of the s		
Gas	sea3-73-cv-09:5334MMD-CSD Document 650 Filed 05/09/05 Page 249 of		
2	Dept. No.: II 00 MAY 15 A 9: 37		
3	NIKKI A. BRYAN LYON COUNTY CLERK		
4	KAREN DINI		
5	DEPUTY		
6	IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA		
7	IN AND FOR THE COUNTY OF LYON		
8			
9	IN THE MATTER OF THE GUARDIANSHIP OF GUARDIAN OF THE PERSON AND		
10	ESTATE AND FOR INSTRUCTIONS		
11	ERNEST GROSO,		
12	An Adult Ward.		
13	THIS MATTER came before the Court this date upon the		
1.4			
15	■ All Properties of the Control of		
16			
17	··		
18			
19			
20			
2			
2	· ·		
2			
2	local, state and federal agencies. 3. It is in the Ward's best interest that a Guardian of		
2	the Person and Estate be appointed.		
2	4. That MAXINE JO GROSO, should be authorized, as Guardi		
2	of the Person and Estate of ERNEST GROSO, to executed a Marital		

249671

1 Case 3:7 2	' uction Trust. The total value of the Trust Estate is 3-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 250 of 3 estimated at a sum in excess of the federal estate tax
3	THEREFORE, based upon the foregoing, IT IS HEREBY
4	ORDERED as follows:
5	1. That MAXINE JO GROSO is appointed Guardian of the
6	Person and Estate of ERNEST GROSO.
7	2. That the Clerk of the Court shall issue Letters of
8	Guardianship to MAXINE JO GROSO as Guardian of the Person a
9	Estate of ERNEST GROSO, upon her posting a bond in the sum (
10	\$ <u> </u>
11	3. That the Guardian, MAXINE JO GROSO, is hereby
12	authorized to execute the Marital Deduction Trust set forth
13	Exhibit "C" to the Petition on file herein, on behalf of the
14	Ward, and is authorized to execute any conveyances, assignment
15	or other documents to fund the trust for ERNEST GROSO.
16	4. That the Guardian shall exercise her responsibili
17	as Guardian of the Person, so that ERNEST GROSO is allowed
18	live in the least restrictive environment.
19	5 That the Guardian is not to be not held personal
20	liable for the financial obligations of the Ward's care
21.	DATED this 15th day of hay, 2000.
22	
23	CERTIFIED COPY DISTRICT JUDGE
24	The document to which this cartificate is attached is a full, true and correct copy of the
25	original on file and of record in my office
26	DATE: 5-6-00 1 kg A. Bryan, Gounty Gigt 1911 Click of
27	- North Angle Common Court On the Dialy
28	Ex Xuenhein
	Deputy

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 251 of 383

249671

OFFICIAL RECORDS LYON COUNTY, HEV. RECORD REQUESTED BY

HENRY W. CAVALLERO 00 JUN 29 AH 11: 48

MARY C. HILLIGAN COUNTY RECORDER

115 900 DEP. 28

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 252 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

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Date: 3/17/05

loresa

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 253 of 383

-							
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA					
3	UNITED STATES OF AMERICA.						
4	Plaintiff.						
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125					
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B					
7	vs.						
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))					
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17	 I hereby enter my appearance in this sub 	p-proceeding in this case.					
.2	2. I am filing this document with the Distri	ict Court at the following address:					
L3	Chief Deputy Clerk United States District Court for the						
L5	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501						
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu					
17	Summons. I am mailing a copy of this document to:						
. 3	Susan L. Schneider Attorney for the United States of Arnerica						
19	United States Department of Justice Environment & Natural Resources Division						
20 21	P.O. Box 756 Littleton, Colorado 80160						
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26	me in these proceedings, I identify that attorney below	· -					
27	telephone number, and facsimile number:						
	Total Programme and Programme						
28							

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 283/ Hu/208 2831 WELL 1 46-4011 (Address) 775-465-906 (Telephone number)

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 254 of 383

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 255 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

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Signature Date: 3-23-05 Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as: Trustee of (Title)
Hall Family Trust
(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice

of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified or, the waiver form, provide the court and DOJ attorney S. Schneider wi a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 256 of 383

1	April 1823				-
2			IN THE UNITED STA	TES DISTRICT COURT LCT OF NEVADA	
3	INI	TED STAT	TES OF AMERICA.)	
4			Plaintiff.)) DV FOUTTY	NO. C-125
5	WA	LKER RIV	ER PAIUTE TRIBE,	SUBFILEN	
6			Plaintiff-Intervenor,) 3081 222	
7		vs.		}	
8	WA	LKER RI	VER IRRIGATION DISTRICT	,	1 TT
9		orporation.	et al., NOTICE OF APPEARANCE	AND INTENT TO PARTI	CIPALE
10)	•	, • • •	whice sub-proceeding in this	s case.
11	- - 	1.	I hereby enter my appearance	in this sub process of the fo	llowing address:
13	2	2.	I am filing this document wi	the Instrict Court at the	
1	3		Chief Deputy Clerk United States District Court	or the	
1	4		District of Nevada 400 South Virginia Street, S	ite 301	
1	5		Reno, Nevada 89501	c Weiver of Ser	vice of Notice in Lieu of
1	6	3.	Reno, Nevada 89501 In the envelope provided fo	return of my waiver of ser	
1	.7 s	ummons. I	am mailing a copy of this doc	ment 10:	
:	3		Susan L. Schneider	es of America	
:	19		United States Department & Natural Re	Clustice ources Division	
	20		P.O. Box /30		
	21		• 1	half I am acting) will retain	all defenses or objections
	22	4.	I I winn or yet	ie of the court except for ou	Jeou
	23				
	24		· L	SANIT ! JIII AULIIIS / **= '	_
	25	5.	If I (or the entity on whose the proceedings, I identify that	ttorney below, along with h	iis or her mailing address.
	26	me in thes	se proceedings, 1 identity than		
	27	telephone	number, and facsimile number		
	28		_	ENT TO PARTICIPATE, P	ige 1 of 2
			-CT OF APPEARANCE AND IN	274 * 10 - 1	

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 257 of 383

3. N3-C	W-00127-WIND-CSD D0C0	iment 650 Filed 05/09/05 Page 257 of 38
1	Attorney:	
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	Debra Gilmore
8		(Signature)
9		
10		Debra Gilmore
11		(Printed or typed Name)
12		
13		Trustee of Hall Family Trus
14		(Entity, if any, on whose
1		behalf you are appearing)
15	·	4 Cottonwood Ln
16		Yerington NV 89447
17		(Address) 775-463-2757
18		(Telephone number)
19		
20		
21	·	
22		·
23		
24		
25	5	
26	5	
2	· ·	
2	8	ND ENTENT NO PARTICIPATE, page 2 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Files 9/05 Page 258 of 383

A.P.N. 04-401-06

Escrow No.: LY-302812-DA RPTT \$95.55, based on full value

RECORDING REQUESTED BY:

Northern Nevada Title Company

MAIL TAX STATEMENTS AND WHEN RECORDED, MAIL TO:

Kim K. Cox

P.O. Box 234

Yerington, NV 8944?

RECORD REBUESTED BY NORTHERN NEVADA TITLE CO. 03 OCT 10 PH 4: 22

THIS SPACE FOR RECORDER'S USE ONLY

GRANT, BARGAIN, SALE DEED

That Philip Colin Hanifan and Carol Anne Hanifan, Trustees of The Hanifan Living Trust dated April 8, 2002 in consideration of \$10.00 Dollars, the receipt of which is hereby acknowledged, do(es) hereby Grant, Bargain, Sell and Convey to Kim K. Cox, an Unmarried Woman and Gene G. Zieman, an Unmarried Man as Joint Tenants with Right of Survivorship all that real property in the County of Lyon, State of Nevada, bounded and described as follows:

Lot 12 as shown on the map for WALKER RIVER RANCH, recorded in the Official Records of Lyon County, Nevada on June 5, 1972 as Document No. 10568. 500

TOGETHER WITH ALL WATER AND WATER RIGHTS APPURTENANT TO THE HEREIN DESCRIBED PROPERTY.

Together with all singular the tenements, hereditaments and appurenances thereunto belonging or in anywise appertaining.

Dated: October 8, 2003

Hanifan Living Trust dated April 8, 2002

By: Colin Hanifan, Trustee

By Carol Conne Handern

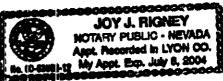
Carol Artne Hanifan, Trustee:

306121

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 259 of 383

COUNTY OF LYON On 10-10-03 personally appeared before me, a Notary Public, Philip Colin Hanifan Trustee Public, Philip Colin Hanifan Trustee	STATE OF NEVADA)	
On 10-10-03 personally appeared before me, a Notary	COUNTY OF LYON)	
	On 10-10-03 personally appeared before me, a Notary Public, Philip Colin Hanifan Trustee	
the details the description of the above instrument.		

who acknowledged that + help executed the above instrument.



			1	YERINGTO	YERINGTON, NEVADA	NEVADA		Index No. Lyon County No.	Fm 375 4-401-06
10798 Kim K. Cox Gene G. Ziemati			1 1 i					Claim No. User # Ditch	463 Tunnel
P. O. Box 234 Yerington, NV 89447									:73-
						TOPAZ RES.	BRIDGEPORT RES.	TOTAL ACRES	**************************************
		DAYS	ACRE FEET R	2	ACKETEE		ACRE FEET CLAIM		
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3.340				6.880	6.88	oa o		Non Wir Rt. Acres	
								Acre Feet Storade	
					7 () () () () () () () () () (-5)			
				•	1	COMMENTS			
					0	12/18/02	. Changed to Trust		
Gat DESCRIPTION: Lot No. 12 of the Walker River Ranch Subdivision,	Subdivision	-			i i i i i i i i i i i i i i i i i i i	06/22/04	06/22/04 - Transferred from card #22500	ard #22500 - Hanifan	
Sections 9 & 10; T 11 N, R 25 E.			10000000000000000000000000000000000000						
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11/21/95	ရှင္	ed - Janet	ה אויייין	ie his spie and	separate property	y to Phillip Con	in Nanifan & Carol A	Anit raliniani.	
10/21/02	Trust	Philip Hanifan, 4 " Trust dated 4/8/02	Trust dated 4/8/02			Truct to Kin	K Cox. an unmarr	led woman & Gene G. Z.	etnan, an unmarrie
10/10/03	 	Coniin & C	onte Wit	Philip Conjin & Carol Ann Hanifan, Trustees of the	t tne namidii Livi ihip	, , , , , , , , , , , , , , , , , , ,			
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14									
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									W.Kd.D. 06/20/0;

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 261 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTIE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Court except or in the service of the Notice in Lieu of Summons.

Date: Hug 2 - 200 Signature

Signature

Printed/Typed Name
If you are acting on behalf of any entity, identify that you are acting as:

Of Title

Of The Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by

a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 262 of 383

Recording Requested by And Return to:

Walker River Irrigation District P. O. Box 820 Yerington, NV 89447

RPTT#3

WATER RIGHTS DEED

THIS INDENTURE, is made this 2/5th day of 100 y ..., 2002, by and between KENNETH V. HANSEN ("Grantor") and the WALKER RIVER IRRIGATION DISTRICT (the "Grantee") as follows:

WITNESSETH:

WHEREAS, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, to it acknowledged, does hereby GRANT, BARGAIN and SELL to Grantee and to its successors and assigns forever in accordance with the terms set forth in that certain WATER RIGHTS ASSESSMENT AGREEMENT entered into by Grantor and Grantee dated May 2/2002 and recorded in the Official Records of Lyon County as Document No. 377853, all water rights, ditch or conveyance rights and all storage rights of any nature whatsoever, appurtenant to the real property situate in the County of Lyon, State of Nevada and described as follows:

See Exhibit "A" attached hereto and made a part hereof.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof.

IN WITNESS WHEREOF, Grantor has executed these presents the day and year first above written.

KENNETH V. HANSEN

STATE OF NEVADA

COUNTY OF 1

This instrument was acknowledged before me on <u>MA</u>

2002, by Kenneth V. Haristre

LEAH COMPSTON
Notary Public - State of Nevada
Appointment Recorded in Lyon County
No: 93-3029-12 - Expires April 5, 2005

NOTARY PUBLIC

(My Commission Expires: 45-95

277854

1. ra 1 . r

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 263 of 383

EXHIBIT 'A'

All that real property in the County of Lyon, State of Nevada, being Assessor's Parcel Number 10-331-08, more particularly described as follows:

Parcel One:

Being all that certain piece or parcel of land lying in a portion of the NW ¼ of the SE ¼ of Section 27, Township 11 North, Range 23 East, M.D.B.&M., in Smith Valley, Lyon County, Nevada, and more particularly described by metes and bounds as follows, to wit:

From the established and recognized monument (into pin in mound of rocks) in the center of the said Section 27 and which bears South 0° 31' East 2638.44 feet from the North one-quarter comer of said Section; thence South 0° 31' East, 582,50 feet to the true point of beginning at the northwest comer of the parcel; thence North 89° 56' East 576.00 feet to a point at the northeast comer of the parcel and in the so-called Colony Ditch; thence following along said ditch South 25° 07' East, 200.00 feet to a point; thence South 20° 53' 30" East 163.90 feet to a point at the southeast comer of the parcel; thence leaving said ditch South 89° 56' West 716.00 feet to a point at the southwest comer of the parcel; thence North 0° 31' West 334.50 feet to the point of beginning.

Parcel Two

Being a portion of the SE ¼ of Section 27, Township 11 North, Range 23 East, M.D.B.&M., and more particularly described as follows:

Commencing at the established and recognized monument (iron pin in mound of rocks) in the center of said Section 27 and which bears \$.0° 31' E. 2638.44 feet from the N. ¼ corner of said Section 27; thence S. 0° 31' E. 917.00 feet to the True Point of Beginning; said Pont of Beginning being the Southwest corner of that certain parcel of land described in Deed recorded January 17, 1964 in Book 46, Page 414 of Deeds as File No. 87934; thence S. 0° 31' E. 61 feet; thence N. 89° 56' East 716.00 feet; thence N. 0° 31' W. 61 feet to the Southeast corner of the aforementioned land recorded in Book 46, Page 414; thence S. 89° 56' W. 716.00 feet to the True Point of beginning.

Per NRS 111.312, the legal description appeared previously in Deed #264630 recorded on August 14, 2001 in Lyon County Records.

277854

UFFICIAL RECORDS
LYON COUNTY, NEV.
RECORD REQUESTED BY
L. T.D.

02 JUN -5 PM 1:59

MARY C. HILLIGAN
COUNTY RECORDER

FEE S GEP. KN

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/ชื่อเกิดอัตร 264 of 383

APN: 012-411-01 012-421-03

WHEN RECORDED MAIL TO: MAIL TAX STATEMENTS TO: Doug Champlin P.O. Box 31450 Mesa, AZ 85275-1450 Not County Resources

04 FEB 13 AM 10: 25

HARY S. ELLIGAN COUNTY RECORDER

FEE _____ DEP. ____

313868

GRANT, BARGAIN AND SALE DEED

THIS GRANT, BARGAIN AND SALE DEED is made and entered into this 5th day of <u>FEBRUARY</u>, 2004, between JOHN R. HARRIS and CAROL C. HARRIS, husband and wife, ("Granter") and 5 C'S COTTONWOOD RANCH, LLC A NEVADA LIMITED LIABILITY COMPANY ("Grantee").

WITNESSETH:

THAT THE SAID GRANTORS, for and in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, and other good and valuable consideration, the receipt whereof is hereby acknowledged, hereby grant, bargain, sell and convey unto Grantees and to their heirs, successors and assigns forever, all of the following described lot, piece or parcel of land, situate, lying and being in the State of Nevada, Lyon County, described as follows: (SEE EXHIBIT "A" ATTACHED AND MADE A PART THERECE)

TOGETHER WITH, all water rights, of any legal kind or nature, including these more fully described as a portion of Claim No. 163 of the action entitled U.S.A. v. Walker River Irrigation District, in the United States District Court for the District of Nevada, Case No. C-125, together with all stored water appurtenant to the real property described herein. References made to Walker River Irrigation District Index Card No. 22850.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TOGETHER WITH, all water and water rights, ditch and ditch rights, well and well rights with the appurtenances, unto the said Grantee, and to its successors and assigns forever.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 265 of 383

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said Grantee and to their heirs, successors and assigns forever.

IN WITNESS WHEREOF, the said Grantors have hereunto executed this Grant, Bargain and Sale Deed the day and year first above written.

Bargain and Sale Deed the day and year first above written.
By: John R Havris
JOHNR HARRIS By: Asa (Aur) CAROL C. HARRIS
SUZANNE CHEECHOV HOTAFY PUBLIC STATE OF Appt. Re-corded in Douglas County
COUNTY OF O(Ruglas : SS
This instrument was acknowledged before me on the 5th day of Feb., 2004 by John R. Harris and Cawl C. Huris.
Againe l'heeche
STATE OF; ss.
COUNTY OF
This instrument was acknowledged before me on theday of
Notary Public

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 266 of 383

EXHIBIT "A"

LEGAL DESCRIPTION

The land referred to herein is situated in the State of Nevada, County of LYON COUNTY, described as follows:

PARCEL 1:

PARCEL 3 OF THAT CERTAIN PARCEL MAP FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER, LYON COUNTY, NEVADA ON MAY 19, 1980 AS DOCUMENT NO. 53399, LYON COUNTY OFFICIAL RECORDS.

ASSESSORS PARCEL NO. 12-421-03

PARCEL 2:

PARCEL 1 OF THAT CERTAIN PARCEL MAP FILED FOR RECORDED IN THE OFFICE OF THE COUNTY RECORDER, LYON COUNTY, NEVADA ON FEBRUARY 23, 1981 AS DOCUMENT NO. 60379, LYON, COUNTY OFFICIAL RECORDS

ASSESSORS PARCEL NO. 12-411-01

TOGETHER WITH ALL WATER, WATER RIGHTS, DITCH AND DITCH RIGHTS.

ION DISTRICT

WALKER RIVER IRR

Five (5) C's Cottonwood Ranch, LLC

Division #:

Card #: Name: Mesa, AZ 85275-1450 C-125, P.Wilson, Lillie

P. O. Box 31450

Address:

YERINGTON, ... VADA

PROVISIONAL

Lyon County No. Claim No. User # Ditch

Lee Sanders

667

12421-03 Pt. of 163

376-A

Index No.

	Mesa, AZ	Mesa, AZ 85275-1450	a secondario	The state of the s								3
Court Decree:	C-125, P.1	C-125, P.Wilson, Lillie										3:7
				DAYS	ACRE PEET	ET REQUIRED	ACRE FEET	TOPAZ RES.	BRIDGEPORT RES.			300.32/1
PRIORITY	C.F.S.	ACRES	PUTY	STORAGE	PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET	CLAIM #	TOTAL ACRES	CV
1881	151	9.420	4.2768			000				163	Water 69 Annes	/ - (S)
1862	060	6.650	4.2768			000				163		0
1863	060	5.650	4.2768			000				163	Non WIT ML. ACI'S	49.420
1864	060	5.650	4.2768			000				163		7
1868	.693	43.310	4.2768			000.				163	Acre Feet Storage	190.1
1869	.120	7.530	4.2768			000				163		11 \
1872	998.	54.140	4.2768			000				163		10
1875	.045	2.830	4.2768	00	.2534	.720				163)-(
1877	.196	12.240	4.2768	#	.3485	4.270				183		CS
1879	.030	1.880	4.2768	22	769.	1.310				163	~~- ¬	SE
1890	136	8.470	4.2768	30	.9504	8.050				163) I
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	3074											е
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DOCUMENT #		DATE	DESCRIPTION	NO								05
#22802		07/09/75	King et	al to Richa	King et al to Richard & Geneva lo	orns.						5/(
#26332		03/11/76	Richard	lorns to G	Richard lorns to Geneva lorns.		•					9
#26511		03/11/76	Richard	orns to G	Richard lorns to Geneva lorns.)/C
1	F	07/14/77	Geneva	forns chan	Geneva forms changed name to G	Geneva Bryant.)5
1	 - -											

DOCUMENT HISTORY: DOCUMENT # #228 #265 #266 #330 #644 #644 #133

	neva lorns.	orns.	orns.	changed name to Geneva Bryant.	Stewart.	e Darting.	Carol Harris.	ol C. Harris, husband and wife to 5 C's Cottonwood Ranch, LLC, a Nevada Limited Liability Company	
DESCRIPTION	King et al to Richard & Geneva lorns.	Richard lorns to Geneva lorns.	Richard lorns to Geneva lorns.	Geneva forns changed name to Ger	Geneva Bryant to Michael Stewart.	Geneva Bryant to Suzanne Darling.	Geneva Bryant to John & Carol Harris.	John R. & Carol C. Harris, husband	
DATE	07/09/75	03/11/76	03/11/76	07/14/77	06/04/80	07/21/80	05/17/90	02/13/04	
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Page 267 of 383

WRID 06/30/04

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 268 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTIE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-17-05

Lema F. Heinerman

LEONA T Heimerman

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Surviving trustee of

John/Leona Heimerman Family Trust (Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in eu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified or the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 269 of 383

-		
2	FOR THE DISTRICT	
3	UNITED STATES OF AMERICA.)
4	Plaintiff,))
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6	Plaintiff-Intervenor.) SUBFILE NO. C-125-B
7	Flammit-met venor.) SUBFILE NO. C-123-B
8	vs.)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	I hereby enter my appearance in this su	b-proceeding in this case.
12	2. I am filing this document with the Distr	rict Court at the following address:
13	Chief Deputy Clerk United States District Court for the	
	District of Nevada	•
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu c
17	Summons, I am mailing a copy of this document to:	
13	Susan L. Schneider	
19	Attorney for the United States of Americal United States Department of Justice	
20	Environment & Natural Resources Divis P.O. Box 756	sion
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defec
24	in the Notice in Lieu of Summons or in the service of the	ne Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represen:
6	me in these proceedings, I identify that attorney below	, along with his or her mailing address.
7	telephone number, and facsimile number:	
8		
- 1		

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 270 of 383 Attorney: Address: Phone Number: Fax Number: Lema n. Heimin (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 271 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

, 1	18 Central	
(Date: 3/01/05	Signature TRI SOTT HEALTH	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	you are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service he Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in 4 of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the valver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 272 of 383

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2	IN THE UNITED STATES DI FOR THE DISTRICT O	ISTRICT COURT OF NEVADA					
3	UNITED STATES OF AMERICA.						
4	Plaintiff.						
15	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125					
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B					
7	VS.))					
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,						
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE					
12	 I hereby enter my appearance in this sub 	e-proceeding in this case.					
2							
13							
14	Chief Deputy Clerk United States District Court for the District of Nevada						
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501						
16	3. In the envelope provided for remm of m	ny Waiver of Service of Notice in Lieu of					
7	Summons. I am mailing a copy of this document to						
13	Susan L. Schneider Attorney for the United States of Ameri	са					
19	United States Department of Justice Environment & Natural Resources Divi						
20	P.O. Box 756 Littleton, Colorado 80160						
21		in a) will eatain all defenses or objections					
22		ing) will retain all defenses or objections					
23	to the lawsuit or to the jurisdiction or venue of the cou						
24	in the Notice in Lieu of Summons or in the service of t						
25	5. If I (or the entity on whose behalf I am act	-					
25	me in these proceedings. I identify that attorney belov	v, along with his or her mailing address,					
27	telephone number, and facsimile number:						
28							

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed-05/09/05 Page 273 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 164 LOWER COLONY DO X WELLINGTON (Address) 775 465 02347 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 274 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIL TF. TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3 /17/05	Signature, W. Hervin	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	_ .
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been aght in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service a Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the act on has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 275 of 383

1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA,			
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.			
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))		
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this sub	p-proceeding in this case.		
12 13	2. I am filing this document with the Distri	ict Court at the following address:		
14	Chief Deputy Clerk United States District Court for the			
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16 17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu o		
18	Summons, I am mailing a copy of this document to			
<u>.</u> 9	Susan L. Schneider Attorney for the United States of America			
20	United States Department of Justice Environment & Natural Resources Division			
21	P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objection:		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec			
24	in the Notice in Lieu of Summons or in the service of the	he Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf] am acti	ng) have retained an attorney to represen		
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address		
27	telephone number, and facsimile number:			
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Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 276 of 383

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1	Attomey:	
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3	Address:	
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6	Phone Number:	
7	Fax Number:	01 L_{2} 01
8	·	Rut Witten
9		(Signature)
10		<i>u</i> 1
11		Kurt W. Hervin
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		11 Norton Ln
17		(Address)
18		775-465-1163
19		(Telephone number)
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WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 22 10 00-	Potricia d. Hervin	
Date: 3-18-05	Signature PATRICIA L. HERVIN	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that you	ı are
	acting as:	_ of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 IN EQUITY NO. C-125 WALKER RIVER PAIUTE TRIBE. 6 SUBFILE NO. C-125-B Plaintiff-Intervenor. 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 I am filing this document with the District Court at the following address: 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 16 In the envelope provided for return cf my Waiver of Service of Notice in Lieu o 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objections 4. 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec-23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, telephone number, and facsimile number: 28

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 279 of 383

ŧ	el e e e e e e e e e e e e e e e e e e	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	Coatricia L Alervin
8		
9		(Signature)
10		PATRICIA LIHERVIN
11		(Printed or typed Name)
12		(Timed of typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		11 NORTON LN.
17		<u>WEILINGTON, NV. 8944</u> (Address)
18		(775) 465 1163
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 280 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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1				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA,)			
4		Plaintiff,))	
5	WALKER I	RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
6		Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	vs.)	
æ 9		RIVER IRRIGATION DISTRICT, on, et al.,)))	
10		NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
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12	1.	I hereby enter my appearance in this sub	p-proceeding in this case.	
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18	Summons. I	am mailing a copy of this document to:		
19		Susan L. Schneider Attorney for the United States of Actori	ca	
20		United States Department of Justice Environment & Natural Resources Divi		
21		P.O. Box 756 Littleton, Colorado 80160		
	4		in a)ill matain all dafamasa an abiantian.	
22	4.	I (or the entity on whose behalf I am act	•	
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27	telephone number, and facsimile number:			
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			_	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 282 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) Reiko Hervin (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 11 Norton Lane (Address) 465-1163 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 283 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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or to the jurisdiction or venue of the Court except for objections based	on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	í

Date: 3/17/05

Signature

Betty Roxann

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

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4	Plaintiff.)		
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6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.)		
8 9	WALKER RIVER IRRIGATION DISTRICT a corporation. et al.,			
10	NOTICE OF APPEARANCE	ANI) INTENT TO PARTICIPATE		
11				
12		in this sub-proceeding in this case.		
13		the District Court at the following address:		
14	Chief Deputy Clerk United States District Court for District of Nevada	or the		
15	400 South Virginia Street, Sui Reno, Nevada 89501	te 301		
16	3. In the envelope provided for re	turn of my Waiver of Service of Notice in Lieu		
17	Summons, I am mailing a copy of this docum	ent to:		
19 19	Susan L. Schneider Attorney for the United States			
20	United States Department of Jo Environment & Natural Resou	ustice roes Division		
21	P.O. Box 756 Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf	l am acting) will retain all defenses or objectic		
23	to the lawsuit or to the jurisdiction or venue o	f the court except for objections based on a defi		
24	in the Notice in Lieu of Summons or in the ser	rvice of the Notice in Lieu of Summons.		
25	5. : If I (or the entity on whose behalf	I am acting) have retained an attorney to represe		
25	me in these proceedings. I identify that attorn	ey below, along with his or her mailing addres		
27	telephone number, and facsimile number:			
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Case 3:73	TCV-00127-MMD-CSD Document	650 Filed 05/09/05 Page 285 of 3
1	Attorney:	
, 2		
3	Address:	
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6	Phone Number:	
7 8 i	Fax Number:	B. Korann dice
9		(Signature)
10		D Page 11:11
11		B. Roxann Hill
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose behalf you are appearing)
16		P.O. Box 825
17		Verington NV 8941
18		(Address) 775-463-3243
19		(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 286 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
 - 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
 - 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
 - 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/17/05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lie Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asket a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has the cost of such service unless good cause be shown for its failure to sign and return the waiver. brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives see The Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons or the service of the Notice in Lieu of Summons or the service of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons or the Summons of the Notice in Lieu of Summons of the
u of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneide a notice of appearance and intent to participate. Exhibit 85

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05

:73-0	cv-00	127-MMD-CSD Document 650		
2	•••·	IN THE UNITED STATE FOR THE DISTRIC	5 DIST	TRICT COURT NEVADA
3	LONITE	ED STATES OF AMERICA.)	
4		Plaintiff.	ý	IN EQUITY NO. C-125
Ş	WALI	KER RIVER PAILTE TRIBE.	Ś	SUBFILE NO. C-125-B
6		Plaintiff-Intervenor,)	
7		vs.)	
8	WAL	KER RIVER IRRIGATION DISTRICT, poration, et al.,		TENT TO PARTICIPATE
9	Î	NOTICE OF APPEARA. C	AD IN 1	ENTTO
10				proceeding in this case.
13	1	1. I hereby enter my appearant	ne Distr	ict Court at the following address:
1.2	\\			
1	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	Chief Deputy Clerk United States District Court for	the	
	4	District of Nevada 400 South Virginia Street, Suit Reno, Nevada 89501	e 301	entorice in Lieu
	.5	Reno, Nevaux opposited for re	nurn of	my Waiver of Service of Notice in Lieu
	17	ammons. I am mailing a copy of this docum	ent to:	
		Susan L. Schneider	C A	orica
	19	Susan L. Schneider Attorney for the United States United States Department of Environment & Natural Reso	of Am Justice urces D	ivision
	20			
	21	4. I (or the entity on whose beh	alf I am	acting) will retain all defenses or objections based on a d
	22			
	23	to the lawsuit or to the jurisdiction or venue in the Notice in Lieu of Summons or in the	service	of the North
	24 25	5. : If I (or the entity on whose be	half I an	acting) have retained an attorney to repose actions, along with his or her mailing ad
	26	5. If I (or the entity on whose be me in these proceedings, I identify that at	TOTHEY	····
	27	telephone number, and facsimile number:		
	28			PARTICIPATE, page 1 of 2
		NOTICE OF APPEARANCE AND INC.	ENT TO	••••

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 288 of 383 Attorney: Address: Phone Number: Fax Number: (Entity, if any, on whose behalf you are appearing) (Telephone number) NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 2 of 2 2 B

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 1050 Page 289 of 383

Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in TO: the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy me. of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER, PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lacu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. usic 7 Aunewill

Date: 4-4-05

P. Hunewill

Printed/Typed Name If you are acting on behalf of any entity, identify that you are

acting as: Frustee

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to be

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has be the cost of such service unless good cause be shown for its failure to sign and return the waiver. brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives serv The Notice in Lieu of Suramons retains all defenses and objections (except any relating to the Notice in Lieu of Suramons or to the service of the Notice

of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought. An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider v a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 290 of 383 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA UNITED STATES OF AMERICA. 3 IN EQUITY NO. C-125 4 Plaintiff. WALKER RIVER PAILTE TRIBE. SUBFILE NO. C-125-B -Plaintiff-Intervenor, £ 7 ٧5. WALKER RIVER IRRIGATION DISTRICT. 3 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE a corporation, et al., 9 10 I hereby enter my appearance in this sub-proceeding in this case. I am filing this document with the District Court at the following address: 1. 2. Chief Deputy Clerk United States District Court for the District of Nevada 14 400 South Virginia Street, Suite 301 Reno. Nevada 89501 In the envelope provided for remm of my Waiver of Service of Notice in Lieu 15 16 3. Summons. I am mailing a copy of this document to: Susan L. Schneider Attorney for the United States of America 13 United States Department of Justice Environment & Natural Resources Division 19 P.O. Box 756 20 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objectio: to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe 22 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. If I (or the entity on whose behalf I am acting) have retained an attorney to represe 24 rne in these proceedings. I identify that attorney below, along with his or her mailing address 25 telephone number, and facsimile number; NOTICE OF APPEARANCE AND UNITENT TO PARTICIPATE, page 1 of 2 28

B-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 291 of 383 Address: Phone Number: Fax Number: (Signature) (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 292 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIDTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the warver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Mariann Dieland	
Date: <u>3 - 18 - 05</u>	Signature	
	MARIANN LEFLAND	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that y	ou are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

2.		
2	IN THE UNITED STATE FOR THE DISTRIC	
3	UNITED STATES OF AMERICA,)
4	Plaintiff.)
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7	vs.)
9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))
10	NOTICE OF APPEARANCE AND	INTENT TO PARTICIPATE
11	I hereby enter my appearance in this	sub-proceeding in this case.
12	2. I am filing this document with the I	District Court at the following address:
ا تا 14	Chief Deputy Clerk United States District Court for the	
15	District of Nevada 400 South Virginia Street, Suite 30 Reno, Nevada 89501	l .
16 17	3. In the envelope provided for return	of my Waiver of Service of Notice in Lieu c
	Summons. I am mailing a copy of this document to	o:
19	Susan L. Schneider Attorney for the United States of A	
20	United States Department of Justice Environment & Natural Resources P.O. Box 756	Division
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I an	acting) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the	court except for objections based on a defec
24	in the Notice in Lieu of Summons or in the service	of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am	acting) have retained an attorney to represen
26	me in these proceedings, I identify that attorney b	elow, along with his or her mailing address
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO P	ARTICIPATE, page 1 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 294 of 383

1	Attomey:	
2		
3	Address:	
4	-	
5		
6	Phone Number:	
7	Fax Number:	, ,
8		Mariann Ireland
9		(Signature)
10		
11		MARIANN TRELAND
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
	;	
15		behalf you are appearing)
15 16		behalf you are appearing) 603 Hay 208
		603 Hary 208 Uprington, NV 89447
16		603 Hary 208
16 17 18		603 Hay 208 <u>Yerington</u> , NV 89447 (Address)
16 17 18 19		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20 21		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20 21 22 23		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20 21 22 23 24		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20 21 22 23 24 25		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730
16 17 18 19 20 21 22 23 24		603 Hay 208 <u>Yerington</u> , NV 89447 (Address) 775-463-4730

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 295 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTIE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: $\frac{3/17/05}{1}$

Signature

Ward

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as: Own of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service to Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with

a notice of appearance and intent to participate.

Case 3:78-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 296 of 383

2	FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA.			
4	Plaintiff,			
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B		
7	vs.			
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,))		
10	NOTICE OF APPEARANCE AND IN	NTENT TO PARTICIPATE		
11	1. I hereby enter my appearance in this s	ub-proceeding in this case.		
12	2. I am filing this document with the District Court at the following address:			
13	Chief Deputy Clerk			
14	United States District Court for the District of Nevada			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu o			
17	Summons, I am mailing a copy of this document to:			
13	Susan L. Schneider			
19	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division			
20	P.O. Box 756 Littleton, Colorado 80160			
21	1	acting) will retain all defenses or objection		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection			
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I are acting) have retained an attorney to represer me in these proceedings, I identify that attorney below, along with his or her mailing address			
26		low, along with his of her maning acciden		
27	telephone number, and facsimile number:			
28		. -		
	NOTICE OF APPEARANCE AND INTENT TO FA	RTICIPATE, page 1 of 2		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 297 of 383

Ħ		
1	Attorney:	
2		
3	Address:	
4	· ·	
5		
6	Phone Number:	
7	Fax Number:	Daid Meland
9		(Signature)
10	i	
11		Ward Ireland
12		(Printed or typed Name)
13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		603 Hwy 208
17		Yerington, NJ. 89447, (Address)
18		775-463-4730
19		(Telephone number)
20		
21		
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25		
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27	·	
	N .	

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 298 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAJUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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Date: 4/4/05

Printed/Typed Name

if you are acting on behalf of any entity, identify that you are

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bea the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 299

73-0	cv-00127-MMD-CSD Document 650 Fil	
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA
3	UNITED STATES OF AMERICA.))
÷	Plaintiff.)
5	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125
5	Plaintiff-Intervenor,	SUBFILE NO. C-125-B
7	vs.))
8	WALKER RIVER IRRIGATION DISTRICT,	,)
9	a corporation, et al NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
10		
	1. I hereby enter my appearance in this su	b-proceeding in this case.
12	 I hereby enter my appearance in a I am filing this document with the Dist 	rict Court at the following address
13	Chief Deputy Clerk United States District Court for the	
14	District of Nevada 400 South Virginia Street, Suite 301	
15	Reno. Nevada 89501	an in af Marice in Lieu
16	3. In the envelope provided for return of	my Waiver of Service of Notice in Lieu
17	Summons, I am mailing a copy of this document to:	
18	Susan L. Schneider Susan L. Schneider States of Ame	erica
19	United States Department of Justice United States Department of Justice Environment & Natural Resources Di	vision
20	P.O. Box /36	
21	whose betaif I am a	acting) will retain all defenses or objection
22	4. I (or the entity on whose because of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the jurisdiction or venue of the conto the lawsuit or to the lawsui	ourt except for objections based on a defe
23	to the lawsuit or to the jurisdiction or venue of the	of the Notice in Lieu of Summons.
2 4	to the lawsuit or to the jurisdiction of the lawsuit or to the jurisdiction of in the service of in the Notice in Lieu of Summons or in the service of	ecting) have retained an attorney to represe
25	in the Notice in Lieu of Summons of In the series in the Notice in Lieu of Summons of In the series of Summons of Summons of In the series of Summons of In the series of Summons of Su	low along with his or her mailing address
26	me in these proceedings. I identify that attorney be	iow, atoms """
21	and facsimile number:	
2 3	3	nage 1 of 2
	S OF APPEARANCE AND INTENT TO PA	ARTICIPATE, Page 1

Case 3:73-	G-cv-00127-MMD-CSD Document 650 Filed	05/09/05 Page 300 of 38
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2	Address:	
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9		(Signature)
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11		(Printed or typed Name)
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13		
14		(Entity, if any, on whose
15		behalf you are appearing)
16		Mellington NV 89447
17		(Address)
18		775-465.2506
19		(Telephone number)
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20	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 2 Of 2
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/95 Page 301 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMON 95

Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in TO: the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrumen: (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susam L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to be

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has t the cost of such service unless good cause be shown for its failure to sign and return the waiver. brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives ser the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice

of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified or the waiver form, provide the court and DOJ attorney S. Schneider a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 302 of 383 IN THE UNITED STATES DISTRICT COURT OF NEVADA FOR THE DISTRICT OF NEVADA 2 UNITED STATES OF AMERICA. 3 IN EQUITY NO. C-125 4 Plaintiff. WALKER RIVER PAIUTE TRIBE. SUBFILE NO. C-125-B = Plaintiff-Intervenor, E 7 VS. WALKER RIVER IRRIGATION DISTRICT. 8 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE a corporation, et al.. 9 10 I hereby enter my appearance in this sub-proceeding in this case. I am filing this document with the District Court at the following address: 11 1. 12 2. Chief Deputy Clerk 13 United States District Court for the District of Nevada 14 400 South Virginia Street, Suite 301 In the envelope provided for return of my Waiver of Service of Notice in Lieu o Reno. Nevada 89501 15 15 3. Summons. I am mailing a copy of this document to: Susan L. Schneider Attorney for the United States of America 13 United States Department of Justice Environment & Natural Resources Division 19 P.O. Box 756 20 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec 22 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. If I (or the entity on whose behalf I am acting) have retained an attorney to represen 24 rne in these proceedings. I identify that actorney below, along with his or her mailing address 25 telephone number, and facsimile number: NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2 23

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Case 3:73-cv	-00127-MMD-CSD Docun	nent 650 Filed 05/09/05 Page 303 of 383
1	Attorney:	
2		
3	Address:	
4	·	
5	Phone Number:	
б	Fax Number:	Marily Rockhulan
7	1	(Signature)
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10		Marilyn R. Thurburw (Printed or typed Name)
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14		(Entity, if any, on whose
15		behalf you are appearing) P.O. Box 378
16		Wellington, NV 814.
17		(Address) 775-465-2506
18		(Telephone number)
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28		D INTENT TO PARTICIPATE, page 2 of 2
	NOTICE OF APPEARANCE TO	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 304 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) he served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

\times Date: $3 - 21 - 0.5$	Signature Signature	-
	Printed/Typed Name	_
	If you are acting on behalf of any entity, identify	
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	-

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu c Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has bee rought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives servic the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice is action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider wit.

a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 305 of 383

<u>:</u>			
2	IN THE UNITED STATES D FOR THE DISTRICT C	ISTRICT COURT OF NEVADA	
3	UNITED STATES OF AMERICA,)	
4	Plaintiff.	,)	
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.	/	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
LO	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
Ll	1. I hereby enter my appearance in this sub	o-proceeding in this case.	
12	2. I am filing this document with the Distr	ict Court at the following address:	
4	Chief Deputy Clerk United States District Court for the		
.5	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
.6	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu	
7	Summons. I am mailing a copy of this document to:		
в.	Susan L. Schneider		
9	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division		
20	P.O. Box 756 Littleton, Colorado 80160		
1		ing) will retain all defenses or objectio:	
2	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection		
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6	me in these proceedings. I identify that attorney below, along with his or her mailing address		
7	telephone number, and facsimile number:		
8			
		rorning page 1 of 2	

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Case 3:73	cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 306 of 383
1	Attorney:
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3	Address:
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6	Phone Number:
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8	× Fartuni Kyler
9	(Signature)
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11	(Printed or typed Name)
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14	(Entity, if any, on whose
15	behalf you are appearing)
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18	775-463.4241
19	(Telephone number)
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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 307 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan I.. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain	in all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections	s based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons	13 to 1

Date: 3-23-05

Signature

Lawrence to Masini

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: tartner of

(Title

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu c Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to be the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 308 of 383

-			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.		
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)	
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE	
11	I hereby enter my appearance in this sul	b-proceeding in this case.	
12	2. I am filing this document with the Distr	ict Court at the following address:	
13	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of π	ny Waiver of Service of Notice in Lieu o	
17	Summons, I am mailing a copy of this document to:		
13	Susan L. Schneider		
19	Attorney for the United States of Ameri United States Department of Justice	•	
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address.		
27	telephone number, and facsimile number:		
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NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

1	-CV-00127-MMD-CSD Attorney:	Document 650 Filed 05/09/05 Page 309 of
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12		Partner
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15		(Entity, if any, on whose
16		behalf you are appearing) // N. Main St.
17		VERINATION NV 89447
		(Address)
18		(175) 463-2481
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 310 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- TO: Susan L. Schneider, attorney for the United States of America
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or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

Date: 03. 24.05

Signature .

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Partner

of

acting as: _____(Title)

L & M Family Limited Partnership

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked be a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 311 of 383

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2	IN THE UNITED STATES D FOR THE DISTRICT C	ISTRICT COURT OF NEVADA	
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.	<u> </u>	
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.)	
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this sub 	enroceeding in this case.	
12			
13		of Comt at the following domain	
14	Chief Deputy Clerk United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno. Nevada 89501		
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu o	
17	Summens. I am mailing a copy of this document to:		
13	Susan L. Schneider		
19	Attorney for the United States of America United States Department of Justice		
20	Environment & Natural Resources Division P.O. Box 756		
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection.		
ii.			
14	A		
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2 E	me in these proceedings. I identify that attorney below, along with his or her mailing address.		
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	NOTICE OF APPEARANCE AND INTENT TO PARTI	CIPATE, page 1 of 2	

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Case 3:73	-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 312 of 383
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3	Address:
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8	(Signature)
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10	Hatricia M. Masini
11	(Printed or typed Name)
12	
13	Partner L & M Family Limited Partnership
14	(Entity, if any, on whose
15	behalf you are appearing)
16	11 N. Main St.
17	Yerington, NV 89447
	(Address)
18	775-463-2904
19	(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 313 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

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	Jatricea Masini	
Date: 3/24/05	Signature	
	Patricia K. Masini	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify tha	t you are
	acting as: Partner	of
	(Title)	
	L & M Family Limited Partnership	
	(Corporate, Trust, Partnership or other entity)	

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 314 of 383

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2	IN THE UNITED FOR THE	DISTRICT OF NEVADA	
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.)	
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	Plaintiff-Intervenor,)	
8	vs.	3	
9	WALKER RIVER IRRIGATION DIST a corporation, et al.,	RICT.)	
10	NOTICE OF APPEARAN	ICE AND INTENT TO PARTICIPATE	
11	* * * * * * * * * * * * * * * * * * * *	and in this case	
12		ance in this sub-proceeding in this case.	
13	2. I am filing this document	with the District Court at the following address:	
14	Chief Deputy Clerk United States District Co	urt for the	
15	District of Nevada 400 South Virginia Street Reno, Nevada 89501	, Suite 301	
16	·	for return of my Waiver of Service of Notice in Lieu o	
7	Summons. I am mailing a copy of this do		
3	_		
L 9	Susan L. Schneider Attorney for the United States of America		
20	United States Department Environment & Natural R	esources Division	
21	P.O. Box 756 Littleton, Colorado 80160		
2	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection		
3	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec		
4			
2.5	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen		
5	me in these proceedings. I identify that attorney below, along with his or her mailing address		
7	telephone number, and facsimile number:		
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Case 3:73	-cy-00127-MMD-CSD Document 650 Filed	d 05/09/05 Page 315 of 3
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ϵ^{\prime}	Address:	
3	Address.	
4	•	
5		
6	Phone Number: 775.463.4526 Fax Number: 1, 143.26	
7	Fax Number: 1, 11 4 2 26	Fatricia & Musine
8		Maricent // Jasine
9		(Signature)
10		
11		Patricia K. Masini
12		(Printed or typed Name)
13		Partner
14		L & M Family Limited Partnership
15		(Entity, if any, on whose
		behaif you are appearing)
16		11 N. Main St.
17		Yerington, NV 89447 (Address)
18		(Addiess)
19		(Telephone number)
20		
21		
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Filed 05/09/05 Page 316 of 383 Case 3:73-cy-00127-MMD-CSD Document 650 Filed of

LYON COUNTY, NEV. RECORD REQUESTED BY

APN: 010-193-18 **RPTT \$975.00**

WESTERN TITLE CO. INC. 04 JUN -2 PM 2: 20

HARY C. HILLIGAN COUNTY RECORDER

150 My

WHEN RECORDED MAIL, TO:

Name Street JOHN J. BRACKETT 2804 DOMINICI DRIVE FREMONT, CA 94536

Address City,State

Zip

MAIL TAX STATEMENTS TO:

Name

JOHN J. BRACKETT

Street

SAME Address

City,State

Zip

00008564-112-LJI Order

No.

(SPACE ABOVE THIS LINE FOR RECORDERS USE)

GRANT, BARGAIN AND SALE DEED

THIS INDENTURE WITNESSETH: That

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, GARTH W. LAMB and SHARI L. HUMBLE-LAMB, who acquired title as SHARI HUMBLE-LAMB, husband and wife, do(es) hereby GRANT(s) BARGAIN SELL and CONVEY to JOHN J. BRACKETT, an unmarried man and to the heirs and assigns of such Grantee forever, all the following real property situated in the County of Lyon, State of Nevada bounded and described as follows:

All that real property situate in the County of Lyon, State of Nevada, described as follows:

A parcel of Land located within the Northeast ½ of Section 10, Township 11 North, Range 23 East, M.D.B.& M., more particularly described as follows:

Parcel 1A of a parcel map for FANNIN, filed for record on June 15, 2001, as File No. 262229, Official Records, Lyon County, Nevada.

TOGETHER WITH ALL WATER, WATER RIGHTS, WELL, WELL RIGHTS, DITCH AND DITCH RIGHTS APPURTENANT THERETO.

TOGETHER with all tenements, hereditaments and appurtenances, if any, thereto belonging or appertaining, and any reversions, remainders, rents, issues or profits thereof.

Dated: May 27, 2004

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 317 of 383

Grant, Bargain and Sale Deed - Page 2 Jant & Kindle Sout My Appl. Expires Nov 3, 2007 Appointment, No. 03-84610.1 Notary Public, State of Herada STATE OF NEVADA State of Nevada, County of Clark Day of May COUNTY OF CLASSE Before me, a notary public This instrument was acknowledged before me on Personally appeared to me to be the 20 MAYOY person whose name is subscribed in the above instrument who acknowledged that the instrument. Notary Public CAROLYN S. CHANEY **NOTARY PUBLIC** STATE OF NEVADA APPT. No. 92-0779-1

TION DISTRICT YERINGTON, LEVADA WALKER RIVER IR!

Fremont, CA 94636 2804 Dominicl Dr. John L. Brackett

4907

Card #: Name:

Division #:

O. & M. Local No. 1

Acre Feet Storage Non Wtr Rt. Acres Water De Acres TOTAL ACRES CLAIM * 8 BRIDGEPORT RES. ACRE FEET

41.72

41.72

41.719 41.7.74 TOTAL

2.0592 PER ACRE

63

4.2768

20.260 20.260

TOTAL

STORAGE DAYS

DUTY

ACRES

CFS

PRIORITY NEWL

Court Decree

Address:

TOPAZ RES. ACRE FEET

APPORTIONED ACRE FEET

ACRE PEET REQUIRED

-02 -02 -02 -02 -02

41.73

3:73-c

ase

Colony 203

10-193-18

Lyon County No.

index No.

Claim No.

User # Ditch

(10-193-10 Transferred to card #9051 - 31.28 Ac. - 24.1 Excluded & 7.18 Ac. COMMENTS: Newland)

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 319 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

- Susan L. Schneider, attorney for the United States of America °O:
- 1. I acknowledge receipt of your request that I waive service of ε Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAPM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the OFIDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy me. of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schreider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 2 - 14 - 05

DONALD LI Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as <u>frustee</u> of

The Languer Family Trust

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been the cost of such service unless good cause be shown for its failure to sign and return the waiver brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 320 of 383

WAIVER OF SERVICE OF NOTICE IN LIFU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-18-05

Signature Vette Laws

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ght in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the warver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1			
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA	
3	UNITED STATES OF AMERICA,		
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,		
10	NOTICE OF APPEARANCE AND INT	TENT TO PARTICIPATE	
11	 I hereby enter my appearance in this sub 	p-proceeding in this case.	
12	2. I am filing this document with the Distr	ict Court at the following address:	
د <u>ّ</u> 1	Chief Deputy Clerk		
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of n	ny Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:		
18	Susan L. Schneider	ion	
19	Attorney for the United States of Araerica United States Department of Justice Environment & Natural Resources Division		
20	P.O. Box 756 Littleton, Colorado 80160		
21	4. I (or the entity on whose behalf I am acting) will retain all defenses or objections		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below, along with his or her mailing address,		
27			
28			
	NOTICE OF APPEARANCE AND INTENT TO FART	ricipate, page 1 of 2	

73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 322 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) 1.3 (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 323 of 383

WATVER OF SERVICE OF NOTICE IN LIFU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIL TE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defe	enses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based or	n a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.	\wedge

Date: 3-18-05:

Signature

Signature

Anni'r D. LAWSON SR

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Of

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service to Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

1

IN THE UNITED STATES DISTRICT COURT 2 FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: فئة Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 30% 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to 18 Susan L. Schneider Attorney for the United States of America 19 United States Department of Justice Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I arn acting) will retain all defenses or objections 4 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 325 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		A Grande St. Musa De
9		(Signature)
10		
11		Ronnie D. Lywsonsk (Printed or typed Name)
12		(Finited of typed Name)
13		
14		(Entity, if any, on whose
1.5		behalf you are appearing)
16		P-O. BOX 68
17		<u>SMITU WV 89430</u> (Address)
18		775.465 -2221
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 326 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIL TE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

Date: 3/17/05	Signature Suzanne Lexumberry
	Printed/Typed Name
	If you are acting on behalf of any entity, identify that you are
	acting as: Trustee of
	Lekumberry 2001 Trust
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the clasms of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action of over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

1 2 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 3 UNITED STATES OF AMERICA. 4 Plaintiff. 5 WALKER RIVER PAIUTE TRIBE. IN EQUITY NO. C-125 6 Plaintiff-Intervenor. SUBFILE NO. C-125-B 7 VS. 8 WALKER RIVER IRRIGATION DISTRICT. a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 11 1. I hereby enter my appearance in this sub-proceeding in this case. 12 2. I am filing this document with the District Court at the following address: 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 3(1) 15 Reno, Nevada 89501 16 In the envelope provided for return of my Waiver of Service of Notice in Lieu of 3. 17 Summons, I am mailing a copy of this document to: 18 Susan L. Schneider 19 Attorney for the United States of America United States Department of Justice 20 Environment & Natural Resources Division P.O. Box 756 21 Littleton, Colorado 80160 22 4. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect 23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 24 If I (or the entity on whose behalf I am acting) have retained an attorney to represent 25 5. me in these proceedings, I identify that attorney below, along with his or her mailing address, 26 telephone number, and facsimile number: 27 28

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 328 of 383

	li .	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		Glegarne Lekumberry
9		(Signature)
10		
11		Suzanne Lekumberry
12		(Printed or typed Name)
1.3		
14		Lekumberry 2001 Trust
15		(Entity, if any, on whose behalf you are appearing)
16		P.O. BOX 248
17		Smith. NV 89430
18		(Address) 775 465-2044
19		(Telephone number)
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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 329 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 3/21/05	Signature Sonnic Little	
	Printed/Typed Name If you are acting on behalf of any entity, identify that you acting as: (Title)	ou are of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bea the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed-05/09/05 Page 330 of 383 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA. 4 Plaintiff. IN EQUITY NO. C-125 = WALKER RIVER PAILTE TRIBE. SUBFILE NO. C-125-B 6 Plaintiff-Intervenor, 7 VS. WALKER RIVER IRRIGATION DISTRICT, 8 a corporation, et al., NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 9 10 I hereby enter my appearance in this sub-proceeding in this case. 11 1. I am filing this document with the District Court at the following address: 12 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Sume 301 15 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu 16 3. Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America United States Department of Justice 19 Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 I (or the entity on whose behalf I am acting) will retain all defenses or objection to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe-22 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe: me in these proceedings. I identify that attorney below, along with his or her mailing address 25 telephone number, and facsimile number: 27 23 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

3:73-	-cv-00127-MMD-CSD Doc	ument 650 Filed 05/09/05 Page 331 of 38
1	Attomey:	
2		
3	Address:	
4		•
5		
6	Phone Number:	
7	Fax Number:	Q)55
8		(Signature)
9		
10		Connie Little
11		(Printed or typed Name)
12		
13		
14		(Entity, if any, on whose behalf you are appearing)
15		350 Consmole LM
16	4 ·	Yevington WV 8944
17		(Address) 775-463-1445
18		(Telephone number)
19		\ -
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2	6	
2	7	
2	8	PARTICIPATE, page 2 of 2
	NOTICE OF APPEARANCE A	ND INTENT TO PARTICIPATE, page 2 of 2

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 332 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Summons of in the source	7-1-JR
Date: 18 MAR 3005	Signature DAOD Sittle SR Printed/Typed Name If you are acting on behalf of any entity, identify that you are acting as:
	(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu (Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bea the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 333 of 383 IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA 2 3 UNITED STATES OF AMERICA. 4 Plaintiff. IN EQUITY NO. C-125 5 WALKER RIVER PAILTE TRIBE. SUBFILE NO. C-125-B 6 Plaintiff-Intervenor, 7 VS. WALKER RIVER IRRIGATION DISTRICT, 8 a corporation, et al., 9 NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE 10 I hereby enter my appearance in this sub-proceeding in this case. 11 1. I am filing this document with the District Court at the following address: 12 2. 13 Chief Deputy Clerk United States District Court for the 14 District of Nevada 400 South Virginia Street, Suite 301 15 Reno, Nevada 89501 In the envelope provided for return of my Waiver of Service of Notice in Lieu c 16 3. 17 Summons. I am mailing a copy of this document to: 13 Susan L. Schneider Attorney for the United States of America United States Department of Justice 19 Environment & Natural Resources Division 20 P.O. Box 756 Littleton, Colorado 80160 21 I (or the entity on whose behalf I am acting) will retain all defenses or objection 22 to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec-23 in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons. 5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen 25 me in these proceedings. I identify that attorney below, along with his or her mailing address telephone number, and facsimile number: 28

-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 334 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) DAUD Little (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 350 Dengmore LN Terington NV (Address) (775) 463-1445 (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 335 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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Date: 3/28/05

Signature

David M L; H)

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Irustee

(Title)

The David M. Little Family Trust Agreement

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service a Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 336 of 383

1			
2	IN THE UNITED STATES DI FOR THE DISTRICT OF	STRICT COURT F NEVADA	
3	UNITED STATES OF AMERICA,)		
4	Plaintiff,)		
5	WALKER RIVER PAIUTE TRIBE,)	IN EQUITY NO. C-125	
6) Plaintiff-Intervenor,)	SUBFILE NO. C-125-B	
7	vs)		
8	WALKER RIVER IRRIGATION DISTRICT,) a corporation, et al.,)		
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
11	 I hereby enter my appearance in this sub- I am filing this document with the District 		
13 14 15	Chief Deputy Clerk United States District Court for the District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of Summons. I am mailing a copy of this document to:		
19 20 21	Susan L. Schneider Attorney for the United States of Americ United States Department of Justice Environment & Natural Resources Divis P.O. Box 756 Littleton, Colorado 80160	•	
22	4. I (or the entity on whose behalf I am action	ng) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the court	except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of th	e Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am actin	ng) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below,	along with his or her mailing address,	
27	telephone number, and facsimile number:		
28			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:78-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 337 of 383

- 1)	
1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	10.1
8		M 1
9		(Signature)
10		
11		David M Little
12		(Printed or typed Name)
13		Trustee, David M. Little Trust Family
14	·	Trust Agreement
15		(Entity, if any, on whose
16		behalf you are appearing) P. O. Box 128
17		Yerington, NV 89447
18		(Address)
19		(775) 463-3003 (Telephone number)
20		
21		
22		
23		•
24		
25	•	
26		
27		
28		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 338 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-28-05

Signature

Printed/Typed Name -

If you are acting on behalf of any entity, identify that you are acting as: Trustee of

(Title)

The David Little Family Trust Agreement

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu o Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service be Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 339 of 383

-		
2	IN THE UNITED STATES FOR THE DISTRICT	DISTRICT COURT OF NEVADA
3	UNITED STATES OF AMERICA.)
4	Plaintiff.)
5	WALKER RIVER PAILTE TRIBE.).) IN EQUITY NO. C-125
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7)
8	VS.	}
9	WALKER RIVER IRRIGATION DISTRICT, a corporation. et al)
10	NOTICE OF APPEARANCE AND II	NTENT TO PARTICIPATE
11	I hereby enter my appearance in this s	ub-proceeding in this case.
12	2. I am filing this document with the Dis	trict Court at the following address:
13	Chief Deputy Clerk	
14	United States District Court for the District of Nevada	
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu	
17	Summons. I am mailing a copy of this document to:	
13	Susan L. Schneider	
19	Attorney for the United States of America United States Department of Justice	
20	Environment & Natural Resources Division P.O. Box 756	
21	Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection	
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe	
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.	
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe:	
25	me in these proceedings. I identify that attorney below, along with his or her mailing addres	
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PART	MICIPATE, page 1 of 2

Case 3:7	3-cy-00127-MMD-CSD Documen	t 650 Filed 05/09/05 Page 340 of
. 1	Attorney:	
2		
3	Address:	
4		
5		•
6	Phone Number:	
7	Fax Number:	
8		Donat
9		(Signature)
10		N Y
11		Sherry Little
		(Printed or typed Name)
12		Tructos
13		Trustee, The Dayid Little Family Trust Agreement
14		(Entity, if any, on whose
15		behalf you are appearing)
16		P. O. Box 128
17		Yerington, NV 89447
		(Address)
18		(775) 463–3003
19		(Telephone number)
20		
21		
22		
23		•
24		
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26	·	
27		
	1	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 341 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SÉRVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTIE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Karen Lomerani	Karen Lomerari	
Date: 3/23/05	Signature Karen Lommori		
	Printed/Typed Name		
	If you are acting on hehalf of any entity, identify that yo	ou are	
	acting as:	of	
	(Title)		
	(Corporate, Trust, Partnership or other entity)		

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in a of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 342 of 383

-			
2	IN THE UNITED STATES DI FOR THE DISTRICT O	STRICT COURT F NEVADA	
3	UNITED STATES OF AMERICA.		
4	Plaintiff.	•	
5	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.)	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
17	1. I hereby enter my appearance in this sub	-proceeding in this case.	
12	2. I am filing this document with the Distri		
13	Chief Denuty Clerk		
14	United States District Court for the		
15	400 South Virginia Street, Suite 301 Reno. Nevada 89501		
16	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu c	
17	Summons, I am mailing a copy of this document to:		
13	Susan L. Schneider	C.P.	
19	United States Department of Justice		
20 21	P.O. Box 756 Littleton, Colorado 80160		
	4. I (or the entity on whose behalf I am act	ing) will retain all defenses or objection	
22 23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	tel (ar the entity on whose behalf lam acting) have retained an attorney to represent		
26			
27	where and factomile number:		
28			
	NOTICE OF APPEARANCE AND INTEND TO FART	ICIPATE, page 1 of 2	

Case 3:78-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 343 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) Lammor. (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) IN ELLING TON HU (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 344 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/23/05

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 345 of 383

1			
2		IN THE UNITED STATES I FOR THE DISTRICT (DISTRICT COURT OF NEVADA
3	UNITED ST	ATES OF AMERICA.)
ব্		Plaintiff.)
5	WALKER R	IVER PAIUTE TRIBE.) IN EQUITY NO. C-125
6		Plaintiff-Intervenor,) SUBFILE NO. C-125-B
7)
8	VS.)
9	a corporation	IVER IRRIGATION DISTRICT, i. et al.,	'
10		NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPATE
11	1.	I hereby enter my appearance in this sul	b-proceeding in this case.
12	2.	I am filing this document with the Distr	
13	-		
14		Chief Deputy Clerk United States District Court for the	
15		District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501	
16	3.	In the envelope provided for seturn of n	ny Waiver of Service of Notice in Lieu c
17	Summons, I a	am mailing a copy of this document to:	
13		Susan L. Schneider	
19		Attorney for the United States of Ameri United States Department of Justice	ca
20		Environment & Natural Resources D.vi	sion
21		P.O. Box 756 Littleton, Colorado 80160	
22	4.	I (or the entity on whose behalf I am act	ing) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen		
26	me in these proceedings. I identify that attorney below, along with his or her mailing address		
27	telephone number, and facsimile number:		
28			

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:7\$-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 346 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 20 Y)ESA WELLINGTON NV COUL (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 347 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

Susan L. Schneider, attorney for the United States of America TO:

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of United States v. Walker River Irrigation District, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER - DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PARTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons

Date: 3/10/05

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are

acting as: Trustee

J. Mages Revocable Trust

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 348 of 383

1]			
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.	·)	
4	Plaintiff,		
5	WALKER RIVER PAIUTE TRIBE,) IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B	
7	VS.))	
8	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
11			
12	1. I hereby enter my appearance in this sub	•	
13	2. I am filing this document with the Distri	ct Court at the following address:	
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16		y Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:	•	
18	Susan L. Schneider		
19	Attorney for the United States of Americ United States Department of Justice	ca	
20	Environment & Natural Resources Divis P.O. Box 756	sion	
21	Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am acti	ing) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cour	t except for objections based on a defect	
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represent		
26	me in these proceedings, I identify that attorney below	, along with his or her mailing address,	
27	telephone number, and facsimile number:		
28			
	NOTICE OF APPEARANCE AND INTENT TO PART'S	cipare, page 1 of 2	

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 349 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) Ruth J. Magee (Entity, if any, on whose behalf you are appearing) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 350 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILITE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) he served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Signature

Signature

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

Of (Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amendec Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaint: If (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ight in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 351 of 383

1			
2	IN ²	THE UNITED STATES DI FOR THE DISTRICT O	ISTRICT COURT F NEVADA
3	UNITED STATES OF A	MERICA.	
4	Plaintiff.		
5	WALKER RIVER PAIU	TE TRIBE.	IN EQUITY NO. C-125
6	Plaintiff-I	;	SUBFILE NO. C-125-B
7	vs.))
8	WALKER RIVER IRRIG	GATION DISTRICT.))
9	a corporation, et al.,	ALCOHOL A BITTA TATO	CENT TO BARTICIPATE
10	NOTICE C	F APPEARANCE AND INT	IEM TO PARTICIPAL
11	1. I hereby e	nter my appearance in this sub	p-proceeding in this case.
12	2. I am filin	g this document with the Distr	ict Court at the following address:
13	Chief Der	outy Clerk	
14	District	ates District Court for the of Nevada	
15	400 South	n Virginia Street, Suite 301 vada 89501	
16	3. In the env	velope provided for return of n	ny Waiver of Service of Notice in Lieu of
17	Summons, I am mailing	a copy of this document to:	
13	Susan L.	Schneider	
19	I Third Cr	for the United States of Ameriates Department of Justice nent & Natural Resources Divi	
20	P.O. Box	756 Colorado 80160	
21	P.		ting) will retain all defenses or objections
22			
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec-		
24			the Notice in Lieu of Summons.
25			ing) have retained an attorney to represent
26	me in these proceedings, I identify that attorney below, along with his or her mailing address.		
27	telephone number, and facsimile number		
28			
	NOTICE OF APPEA	RANCE AND INTENT TO PART	CICIPATE, page 1 of 2

cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 352 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 510 DA-1 LAM molligter no gayn. (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 353 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAILINE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.

5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit
or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of
Summons or in the service of the Notice in Lieu of Summons.

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the Urited States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been right in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service e Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

-	•		
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA		
3	UNITED STATES OF AMERICA.)	
4	Plaintiff.)	
5	WALKER RIVER PAIUTE TRIBE.) IN EQUITY NO. C-125	
5	Plaintiff-Intervenor,	SUBFILE NO. C-125-B	
7	vs.		
8 9	WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,)))	
10	NOTICE OF APPEARANCE AND IT	NTENT TO PARTICIPATE	
11	1. I hereby enter my appearance in this si	ub-proceeding in this case.	
12	2. I am filing this document with the Dis	trict Court at the following address:	
13	Chief Deputy Clerk	-	
14	United States District Court for the District of Nevada		
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501		
16	3. In the envelope provided for return of a	my Waiver of Service of Notice in Lieu of	
17	Summons, I am mailing a copy of this document to:		
13	Susan L. Schneider		
19 20	Attorney for the United States of Amer United States Department of Justice Environment & Natural Resources Div		
21	P.O. Box 756 Littleton, Colorado 80160	13101:	
22		ting) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the cou		
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.		
25	5. If I (or the entity on whose behalf I am act	ing) have retained an attorney to represent	
26	me in these proceedings, I identify that attorney below	v, along with his or her mailing address,	
27	telephone number, and facsimile number:		
28			

Case 3:7B-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 355 of 383 Attorney: Address: Phone Number: Fax Number: (Signature) Luetta A. Mann (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) (Address) (Telephone number)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 356 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PACUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 03/16/05

Signature

Davre | Marraccini

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ght in an improper place or in a court that lacks jurisdiction over the subject matter of the action or ever its person or property. A party who waives service a Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 357 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-17-05	Signature,	
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify that	voji are
	acting as:	of
	(Title)	
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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1			
2	IN THE UNITED STATES DI FOR THE DISTRICT O		
3	UNITED STATES OF AMERICA.		
4	Plaintiff,)	
5	WALKER RIVER PAIUTE TRIBE,	IN EQUITY NO. C-125	
6	Plaintiff-Intervenor,)	SUBFILE NO. C-125-B	
7	V5.)		
9	WALKER RIVER IRRIGATION DISTRICT. a corporation, et al.,		
10	NOTICE OF APPEARANCE AND INT	ENT TO PARTICIPATE	
11	I hereby enter my appearance in this sub-	-proceeding in this case.	
12 13	2. I am filing this document with the Distri	ct Court at the following address:	
14	Chief Deputy Clerk United States District Court for the		
15	District of Nevada 400 South Virginia Street, Suite 301		
16	Reno, Nevada 89501		
17	3. In the envelope provided for return of m	y Waiver of Service of Notice in Lieu of	
8	Summons. I am mailing a copy of this document to		
. 9	Susan L. Schneider Attorney for the United States of Americ	a	
20	United States Department of Justice Environment & Natural Resources Divis		
21	P.O. Box 756 Littleton, Colorado 80160		
22	4. I (or the entity on whose behalf I am action	ng) will retain all defenses or objections	
23	to the lawsuit or to the jurisdiction or venue of the court	t except for objections based on a defect	
24			
25			
26	me in these proceedings, I identify that attorney below,		
7	telephone number, and facsimile number:		
8 2			

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 359 of 383

1	Attorney:	
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	P.
8		Mariasene
9		(Signature)
10		
11		Lisa Marracuni
12		(Printed or typed Name)
13		
14		
15		(Entity, if any, on whose
16		behalf you are appearing) 38 E. Pursel Ln.
17		YERINATON, NV 89447
18		(Address)
19		(Telephone number)
20		
21		
22		
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25	•	•
26		
27		
20		

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 360 of 383 WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number in Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan I.. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

	Hotricia & Masini	_
Date: 3/24/05	Signature	-
	Patricia K. Masini ·	•
	Printed/Typed Name	
	If you are acting on behalf of any entity, identify t	that you are
	acting as: Partner	of
	(Title)	
	Masini Investments	
	(Cornorate Trust Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu c Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked b a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beathe cost of such service unless good cause be shown for its failure to sign and return the waiver.

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Case 3:73 cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 361 of 383

•	
4	FOR THE DISTRICT OF NEVADA
3	UNITED STATES OF AMERICA.
4	Plaintiff)
5	WALKER RIVER PAILTE TRIBE. IN EQUITY NO. C-125
6 7	Plaintiff-Intervenor, SUBFILE NO. C-125-B
8	vs.
9	WALKER RIVER IRRIGATION DISTRICT,) a corporation. et al.,
10	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE
11	1 Therein are a second and the second and the second
12	 I hereby enter my appearance in this sub-proceeding in this case. I am filing this document with the District Court at the following address:
13	
14	Chief Deputy Clerk United States District Court for the District of Nevada
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501
16	3. In the envelope provided for return of my Waiver of Service of Notice in Lieu of
17	Summons, I am mailing a copy of this document to:
13	Susan L. Schneider
19	Attorney for the United States of America United States Department of Justice Environment & Natural Resources Division
20	P.O. Box 756 Littleton, Colorado 80160
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defec
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represen
26	me in these proceedings. I identify that attorney below, along with his or her mailing address
27	telephone number, and facsimile number:
28	
	NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 362 of 383 Address: Phone Number: 775.463.4526 Fax Number: (Signature) Patricia K. Masini (Printed or typed Name) Partner Masini Investments (Entity, if any, on whose behalf you are appearing) 11 N. Main St. Yerington, NV 89447 (Address) (Telephone number)

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 363 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
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- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
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5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3-23-05

Signature

Lawrence B. Masini .

Printed/Typed Name

If you are acting on behalf of any entity, identify that you are acting as:

(Title)

(Corporate, Trust, Partnership or other entity)

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked be a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to beat the cost of such service unless good cause be shown for its failure to sign and return the waiver.

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An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 364 of 383

	1	
	IN THE UNITED STATES DISTORT OF	
3	UNITED STATES OF AMERICA.	
_	Plaintiff.	
	WALKER RIVER PAIUTE TRIBE.	IN EQUITY NO. C-125
	6) Plaintiff-Intervenor,)	SUBFILE NO. C-125-B
7	vs.	
8 9	WALKER RIVER IRRIGATION DISTRICT.	
10	NOTICE OF APPEARANCE AND INTE	NT TO PARTICIPATE
11		
12		•
13	lli	Court at the following address:
14	Chief Deputy Clerk United States District Court for the District of Nevada	
15		
16	3. In the envelope provided for return of my	Waiver of Service of Notice in Lieu (
17	Summons, I am mailing a copy of this document to:	
13	Susan L. Schneider	
20	United States Department of Justice Environment & Natural Resources Division	n
21	P.O. Box 756 Littleton, Colorado 80160	
22	4. I (or the entity on whose behalf I am acting) will retain all defenses or objection
23	to the lawsuit or to the jurisdiction or venue of the court ex	xcept for objections based on a defec
24	in the Notice in Lieu of Summons or in the service of the I	Notice in Lieu of Summons.
25	5. If I (or the entity on whose behalf I am acting)	have retained an attorney to represen
26	me in these proceedings, I identify that attorney below, al	ong with his or her mailing address
27	telephone number, and facsimile number:	
28		
	NOTICE OF APPEARANCE AND INTENT TO PARTICIA	PATE, page 1 of 2

Case 3:73	CV-00127-MMD-CSD Documen	t 650 Filed 05/09/05 Page 365 of 3
2		
3	Address:	
4		
5		
6	Phone Number:	
7	Fax Number:	
8		1/2
9		(Signature)
10		,
11		Laur & Musni
12		(Printed or typed Name)
13		Tarther
14		Masini Investments
15		(Entity, if any, on whose
16		behalf you are appearing) 11 N. Main St.
17		Verington NV 89447
18		(Addres s) (775) 463-2481
19		(Telephone number)
20		•
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23		
24		
25	; :	•
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}		

Case 3 73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 366 of 383

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA.

Plaintiff,

In Equity No. C-125-ECR Subfile No. C-125-B

WALKER RIVER PAIUTE TRIBE.

Plaintiff-Intervenor,

) NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT

WALKER RIVER IRRIGATION DISTRICT, a corporation. et al.,

V.

Defendants.

The undersigned counter-defendant in the above action hereby notifies the Court and the United States that the undersigned (or the entity on whose behalf the undersigned is acting) has sold or otherwise conveyed ownership of all or a portion of a water right within one or more of the categories set forth in Paragraph 3 of the Case Management Order and provides the following information:

The name and address of the party or parties who sold or otherwise conveyed ownership:

Name(s)

Mathews Family Trust
Robert J. Mathews, Surviving Trustee
Street or P.O. Box
P. O. Box 532

Exhibit 110

NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 1 of 3

Case 3 73-cy-00127-MMQ-CSQ_Document 650 Filed Q5/09/05 Page 367 of 383 ZipCode Town or Cir. State 2 The name and address of each person or entity who acquired ownership 2. 3 Walker River Irrigatiaon District 4 Name(s) P. O. Box 820 5 Street or P.O. Box 6 89447 NVYerington 7 State ZipCode Town or City 8 Attached to or included with this notice is a copy of the (check appropriate 3. 9 box(es)): 10 КX Deed 11 Court Order 12 Other Document. by which the change in ownership was accomplished. 13 The undersigned acknowledges that any person or entity who files a Notice of 14 Change of Ownership of Water Right using this form is ultimately responsible for the accuracy 15 of this filing. Consequently, the undersigned acknowledges that any person or entity who files 16 ! " 18 19 This notice shall be sent to the following two persons: 20 Linda Lea Sharer, Chief Deputy Clerk United States District Court for the District of Nevada 21 400 South Virginia Street, Suite 301 Reno, NV 89501 22 <u> And</u> 23 Susan L. Schneider 24 United States Department of Justice P.O. Box 756 25 Littleton, CO 80160 26

Case ¹ 3	:7.3 _{F.C.V.} -0.0.12.7-14.14.0
2	litigation.
3	
4	Executed this 22 nd day of FEB 200.5.
5	-
6	a 1 Shi
7	Savufflathern [signature of counter-defendant]
8	
9	Robert S Mathews
11	[name of counter-defendant]
12	
13	[signature, if applicable, of person acting on behalf of counter-defendant]
14	
15	
16	[name, if applicable, of person acting on behalf of counter-defendant]
!-	
18	PA Box 532
19	P.O. Box 532 VERINGTON, NV 89447 [address]
21	
22	(175) 463-4339 [Telephone number]
23	
24	
25	
26	
27	
28	NOTICE OF CHANGE OF WATER RIGHTS OWNERSHIP, page 3 of 3

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 369 of 383

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:

Walker River Irrigation District P.O. Box 820 Yerington, NV 89447 APN 12-062-15 RPTT # 2

(Not Compared to Original)

03/07/2005

12:39 PM

Official Record
Requested By

H.R.I.D.

Lyon County - NV Mary C. Milligan - Recorder

WATER RIGHTS QUITCLAIM DEED

THIS INDENTURE, made and entered into this Andrews day of Feb, 22.

2005, by and between the MATHEWS FAMILY TRUST, ROBERT J. MATHEWS, surviving trustee, hereinafter referred to as "Grantor," and the WALKER RIVER IRRIGATION DISTRICT, hereinafter referred to as "Grantee";

WITNESSETH:

That the said Grantor, in consideration of the sum of TEN DOLLARS (\$10.00), lawful money of the United States of America, the receipt whereof is hereby acknowledged, does by these presents convey, transfer and quitclaim unto the Grantee, and to its successors and assigns forever, all of the rights of the Grantor to receive stored waters from Bridgeport Reservoir and to divert water from the Walker River and its tributaries, all such water rights being appurtenant to the land situate in the County of Lyon, State of Nevada, that is described in Exhibit "A" attached hereto and made a part hereof.

To have and to hold the said water rights together with the tenements, hereditaments and appurtenances thereunto belonging or appertaining and the

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 370 of 383

reversion and reversions, remainder and remainders, rents, issues and profits thereof unto the Grantee, its successors and assigns, forever.

Grantee does hereby agree to assume the payment of all fees and charges that may hereafter become due and payable in respect to said water rights referred to herein.

IN WITNESS WHEREOF, the parties have executed this instrument on the day and year first above written.

GRANTOR:

MATHEWS FAMILY TRUST

Date: 71-22 65

SUBSCRIBED and SWORN to before me this <u>32 ^{ho}</u> day of <u>≠ck-waruj</u>, 2005.

NOTARY PUBLIC

LEAH COMMSTON

Notary Public State of Nevada

Apparent Reproduct byon County
No. 984637; 14 Flores April 5, 2005

GRANTEE::

WALKER RIVER IRRIGATION DISTRICT

Its: Chairman

Date: 3-7-05

SUBSCRIBED and SWORN to before me this <u>7th</u> day of <u>MARCH</u>, 2005.

NOTARY PUBLIC

LEAH COMPSTON

Notary Public - State of Nevada

Appointment Recorded in Lyon County
No: 93-3029-12 - Expires April 5, 2005

EXHIBIT "A"

All that certain real property situate in the SW ¼ of the NW ¼, Sec. 23; T. 13 N., R. 25 E., M.D.B.&M., County of Lyon, State of Nevada, more particularly described as follows:

Zwiebel Parcel #19:

Commencing at the northwest corner of said Section 23, proceed S 13° 03' 42" E, 1602.58 feet, to the northwest corner of Zwiebel Parcel No. 16; thence S 0° 20' W, 450.00 feet, along the westerly boundaries of Zwiebel Parcel Nos. 16, 17, & 18, to the TRUE POINT OF BEGINNING of this Parcel No. 19, which is the northwest corner; proceed thence S 89° 40' E, 290.40 feet, along the southerly boundary of Parcel No. 18 to the northeast corner of this parcel; thence S 0° 20' W, 150.00 feet, to the southwest corner of this parcel; thence N 89° 40' W, 290.40 feet, to the southwest corner of this parcel; thence N 0° 20' E, 150.00 feet, along the easterly side of a fifty foot wide public road easement, to the TRUE POINT OF BEGINNING, containing one acre, more or less.

PER NRS 111.312, THE LEGAL DESCRIPTION APPEARED PREVIOUSLY IN DEED #136762 RECORDED ON OCTOBER 19, 1990 IN LYON COUNTY RECORDS.

A. J. & Amy E. Zwiebol, husband and wife to Robert J. & Pauline Mathews, husband and wife Robert J. & Pauline Mathews, husband and Wife to Robert J. & Pauline M. Matrows, Trustees of the Mathews Family Trust

J.S. & V.G. DuPrattio & J. & Amy Zwiebel Excluded 17.28 acres - July 1968.

DESCRIPTION

DATE

POCHUENT

#51935 #136762 #36-481

Zwiebei Parcel #19 DOCUMENT HIS FORY: 04/01/51 10/19/90

DIST	•
ATION	
IRRIG	
R RIVER IRRIGATION DIST	* C - C - C - C - C - C - C - C - C - C
WALKER	;
≩	

12-062-15

Lyon County No.

Index No.

Claim No.

User # Ottch

Pt. 45 2438 Fox

TRICT YERINGTON, NEVADA O. & M. Local No. 3 Robert J. & Pauline M. Mathews, Trustees C-125, P.25; Fox Ditch Company Mathews Family Trust Yerington, NV 89447 P. O. Box 532 Court Decree: Division #: Address: Card #: Name:

	,			DAYS	ACRE FEET REQUIRED	REQUIRED	ACRE FEET	TOPAZ RES.	TOPAZ RES. BRIDGEPORT RES.		TOTAL SCORE	1.170
PRIORITY	C.F.S	ACRES	TUG	STORAGE	PER ACRE	TOTAL	APPORTIONED	ACRE FEET	ACRE FEET	CLAIM #	SOLAL ACRES	
1865	8	350	3.2076			000				45	Water Rt. Acres	1 1 70
1870	400	.310	3.2076			000				45	4 40 40	
1875	.003	.260	3.2076	•	1901	640				45	WOR THE NE ACCOUNT	000
1880	.002	130	3.2076	25	.594	710.				45		
1885	.00	.060	3.2076	53	689	140.				45	Acre Feet Storage	.189
1890	000	.030	3.2076	8	.7128	.021				45		
1895	000	.030	3.2076	32	.7603	000.				45		
TOTAL	410	1,170				.189	.19	00.	181.			
I EGAL DESCRIPTION:	:NC							COMMENTS:	2			
								3/23/00 -	3/23/00 - Transferred from card #57200 - Zwiebei	im card #5720	0 - Zwiebel	
Fr. SW 1/4 of NW 1/4, Sec. 23; T. 13 N., R. 25 E.	f NW 1/4, Se 7. 25 E.	c. 23;										

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 373 of 383

OFFICIAL RECORDS LYON COUNTY, NEV. RECORD REQUESTED BY

WESTERN TITLE CO. INC. 04 MAR 18 AM 9: 22

MARY C. MILLIGAN COUNTY RECORDER 15° DEP. MK

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Affix R.P.T.T.S APN 14-481-17 RPT *6 Title Order No. 5111.001567 Escrow No. 5111001567-JH WHEN RECORDED MAIL TO: Name and Mrs. McBee Street Address City & State

MAIL TAX STATE **T\$TO:** Grantee at address

above

Quitclaim Deed FOR A VALUABLE CONSIDER MION, receipt of which is hereby acknowledged, MICHAEL P. MCBEE AND CHEEK, MCBEE, TRUSTEES OF THE MICHAEL P. MCBEE AND CHERYL E. MCBEE REVOCABLE INVING TRUST, DATED FEBRUARY 26, 1997

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to MICHAEL P. MCBEE AND CHERYL E. MCBEE HUSBAND AND WIFE, AS JOINT TENANTS

that property in LYON described as:

County, Nevada,

Dated March 4, 2004

STATE OF NEVADA

COUNTY OF

On March 8, 2004 before me, the undersigned, a Notary Public in and for said State, personally appeared Michael + Checyl

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

Pelleari

WITNESS my hand and official seal

Signature

rely le Name .. (typed or printed)

ORTC-470 4/2003

MICHELLE PELLEGRINI Nothiny Public - State of Nevada

Appointment Recorded in Evon County No. 34-5132-12 - Expires September 9, 2006

(This area for official notarial seal)

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 374 of 383

Legal Description

All that real property situate in the County of Lyon, State of Nevada, described as follows:

Parcel C as shown on the Parcel Map and Boundary Adjustment for Grover F. Glasner recorded in the Official Records of Lyon County, Nevada on June 22, 1992 as Document No. 152758.

315976

	303 '
ase 3:73-cv-00127-MMD-CSD [Document 650, Filed 05/09/05 Page 375 of B83
	LYBN COUNTY. NEV. RECORD REQUESTED BY
A.P.N. # 010-641-11	
R.P.T.T. \$ 513.50	STEWART THILE OF
ESCROW NO. 030103064	03 SEP -9 PM 2: 27
RECORDING REQUESTED BY: STEWART TITLE COMPANY	HARY C. MILLIGAN
MAIL TAX STATEMENTS TO:	COUNTY RECORDER
SAME AS BELOW	FEE DEP.
WHEN RECORDED MAIL TO:	
GRANTEE 2827 HIGHWAY 208 PO Box 1966	
WELLINGTON, NV 89444	
GArdnerulle, W B9410	(Space Above for Recorder's Use Only)
GRANT, BARGA	IN, SALE DEED
THIS INDENTURE WITNESSETH: That JUDY	J. MCBRYDE, Surviving Joint
Tenant	1
in consideration of \$10.00, the receipt of which is here and Convey to JEFFREY M. GARCIA and	by acknowledged, does hereby Grant, Bargain Sell
and Convey to JEFFREY M. GARCIA and and wife as joint tenants	KEALOHA GARCIA, HUBDANG
and wire as joint tendico	
C. J. Courses formula al	I that real property situated in the
and to the heirs and assigns of such Grantee forever, al County of Lyon	State of 140 taux, bounded and deserted as
SEE EXHIBIT "A" ATTACHED HE	RETO AND MADE A PART HEREOF
Together with all and singular the tenements, hereditar anywise appertaining, and any reversions, remainders,	ments and appurtenances thereunto belonging or in rents, issues or profits thereof.
DATE: August 18, 2003	1 1 1 MB.
_	TIDY I NICHRYDE
SUZANNE CHEECHOV	
NOTARY PUBLIC STATE OF NEVADA	
Appt. Recorded in Douglas County My Appt. Expires June 25, 2007	
No: 99-36456-6	
1	i
and an AV	i
STATE OF $\{VV\}$ } ss.	1
COUNTY OF Whate	
	3/28/03
by, JUDY J. MCBRYDE	
	·
Signature Lyuko Chood	
Motaly Fublic (One inch margin on all s	sides of document for Recorder's Use Only)

303780

EXHIBIT "A" LEGAL DESCRIPTION

Order No.: 03012245MM

The land referred to herein is situated in the State of Nevada, County of LYON, described as follows:

BEING PORTIONS OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 10 NORTH, RANGE 23 EAST, M.D.B. & M., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL B AS SHOWN ON THAT CERTAIN PARCEL MAP RECORDED ON DECEMBER 3, 1993, AS DOCUMENT NO. 166714, LYON COUNTY OFFICIAL RECORDS.

ASSESSOR'S PARCEL NO. 10-641-11

TION DISTRICT	.éVADA
WALKER RIVER IRF	YERINGTON,

Division #:

19270 Jeffrey M. & Kealo P. O. Box 1966 Gardnerville, NV Address: Card #: Name:

Court Decree:

PRIORITY

NEWL

181	Cas	nouth	:73	-çv-	<u>0</u> £	100	7- \4	D	CSD
Index No. 324-B1	ounty No.	User # 808 Ditch Plyr		TOTAL ACRES	Water Rt. Acres	Non Wtr Rt. Acres	Acre Feet Storage		, deceased 15 - McBryde
	\$	T U)		CLAIM #					J. McBryden n card #332
				BRIDGEPORT RES. ACRE FEET		00			Parcel B of PM168714 01/20/04 - Removed Frank J. McBryde, deceased 01/20/04 - Transferred from card #33216 - McBryde
			į.	TOPAZ RES. ACRE FEET		1.44		COMMENTS:	Parcel B 01/20/04 01/20/04
TERING LOIS, SEVADA				ACRE FEET APPORTIONED		1.44			,
TEKINGIO	e a sa			ET REQUIRED TOTAL	1.440	1.440			
	1 1 1	i I '		ACRE FEET PER ACRE	2.0592				
				DAYS STORAGE	80				
	.5			DUTY	4.2768		,		
	aloha Garcia	/ 89410		ACRES	.700	.700			

LEGAL DESCRIPTION:	COMMENTS:
0.70 acres in W 1/2, Sec. 2; T 10 N, R 23 E.	Parcel B of PM168714 01/20/04 - Removed Frank J. McBryde, deceased 01/20/04 - Transferred from card #33215 - McBryc
DOCUMENT HISTORY:	

#36-848 #51-370 #146438 #158917 #168714 #170827	DATE 01/03/49	
#36.848 #51.270 #146498 #168917 #168714	01/03/49	DESCRIPTION
#51.270 #146498 #168917 #160714	83/10/70	Albert & Emma Zimmerman to Manley & Eisle Bishop.
#146436 #158317 #168714 #170827		Manley & Elsie Bishop to Rene & Mary Ann Cardinal.
#158917 #168714 #170827	11/06/91	Rene L. & Mary Ann Cardinal to Rene L. & Mary A. Cardinal, Trustees of the Cardinal Wellington Trust.
#168714 #170827	02/12/93	Affidavit - Death of Joint Yenant - Mary Cardinal. Deceased.
#170827	12/03/93	Parcel Map for Cardinal Wellington Trust.
	04/22/94	Rene L. Cardinal, Successor Trustee of the Cardinal Wellington Trust to Frank Joseph McBryde trust Agreement, dated October 21, 1992.
#251142	08/11/00	Frank Joseph McBryde, Trustee of the Frank Joseph McBryde Trust Agreement, dated 10/21/92 to Frank J. & Judy J. McBryde, husband and wife as Joint Tenants
#303779	09/09/03	Affidavit - Death of Joint Tenant - Frank J. McBryde, deceased
#303780	09/09/03	Judy J. McBryde, Surviving Joint Tenant to Jeffrey M. & Kealoha Garcia, husband and wife as Joint Tenants
		WRID 06/30/04

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAIUTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waiver of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Date: 3/21/05	Signature Cynthia STENESING Printed/Typed Name	
	If you are acting on behalf of any entity, identify that acting as:	
	(Title)	of
	(Corporate, Trust, Partnership or other entity)	

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been ight in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service in Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in Lieu of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 379 of 383

3				
2	IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA			
3	UNITED STATES OF AMERICA.)		
4	Plaintiff.)		
5	WALKER RIVER PAILTE TRIBE.) IN EQUITY NO. C-125		
6	Plaintiff-Intervenor,) SUBFILE NO. C-125-B		
7	· · · · · · · · · · · · · · · · · · ·			
8 9	WALKER RIVER IRRIGATION DISTRICT,			
		TENT TO BARTICIPATE		
10	NOTICE OF APPEARANCE AND IN	TENT TO PARTICIPALE		
11	1. I hereby enter my appearance in this su	b-proceeding in this case.		
12	2. I am filing this document with the Distr			
13	Chief Deputy Clerk			
14	United States District Court for the District of Nevada			
15	400 South Virginia Street, Suite 301 Reno, Nevada 89501			
16 17	3. In the envelope provided for return of m	ny Waiver of Service of Notice in Lieu		
	Summons. I am mailing a copy of this document to:			
13	Susan L. Schneider			
19	Attorney for the United States of Americ United States Department of Justice Environment & Natural Resources Divis			
20	P.O. Box 756	SIOII		
21	Littleton, Colorado 80160			
22	4. I (or the entity on whose behalf I am acti	ing) will retain all detenses or objection		
23	to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defe-			
24	in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.			
25	5. If I (or the entity on whose behalf I am acting) have retained an attorney to represe.			
26	me in these proceedings. I identify that attorney below, along with his or her mailing address			
27	telephone number, and facsimile number:			
28				

NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, page 1 of 2

Case 3:73 cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 380 of 383 Attomey: Address: Phone Number: Fax Number: (Signature) MENESIN (Printed or typed Name) (Entity, if any, on whose behalf you are appearing) 2025.0500 /EUNaIDS (Address) 775-462-3901 (Telephone number)

se 3:73-cv-00127-MMD-CSD Docu	Iment 650 Filed 05/03/05 Fage 381 of LYON COUNTY, NEV. RECORD REQUESTED BY
	Randy Manesini
APN: 014 - 291 - 02	04 JUN 24 PH 12: 30
RPTT: \$ 46 80	MARY C. MILLIGAN
When Recorded mail to:	COUNTY RECORDER
	FEE 150 DEP. Dec
404 Sundy Ask	
Yerragha NV 89447	
Grantees Adoress:	Recorders Use Only
Same	Recorders use Only
the real property situate in the County of Lyon See Exh. 6:4 "A" TOGETHER WITH all tenements, hereditaments and appertaining, and any reversion, remainders, rents, issue	State of Nevada, described as follows: ppurtenances thereunto belonging or in anywise
STATE OF NEVADA COUNTY OF	_ ,,
	Mericani
On June 24, , 2004, before	alex TE (Signature)
me, the undersigned, a Notary Public in and for	GRACE L. MENERIN
said County and State, personally appeared	Tens Table
Grace L Menesini	TRISTEL
TRUSTEE	(6:)
known to me to be the person(s) whose name(s) is/are	(Signature)
subscribed to the within instrument, and acknowledged	
to me that he/she/they executed the same	(Type or Print Name)
WITNESS my hand and official seal.	Notary Seal
mallon and a	MARY NELSON
(Notary Public)	New Appointment No. 03-79830-12

Case 3:73-cv-00127-MMD-CSD Document 650 Filed 05/09/05 Page 382 of 383

EXHIBIT "A"

A percel of land located in the SE 1/4 of the NE 1/4 of Section 28, T. 14 N., R. 25 E., M.D.B.&M., in Lyon County, Nevada, and described as follows:

Beginning at the Southeast corner of the parcel from which the East on quarter corner of said Section 28 bears S. 15° 17' 20" E., 1058.86 feet: thence

N. 0° 19' 30" E., 303.11 feet; thence N. 89° 49' 20" W., 220.00 feet; thence S. 0° 19' 30" W., 302.54 feet; thence S. 89° 40' 30" E., 220.00 feet to the point of beginning

APN: 014-291-02

Case 3:73-cy-00127-MMD-CSD Document 650 Filed 05/09/05 Page 383 of 383

WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS

TO: Susan L. Schneider, attorney for the United States of America

- 1. I acknowledge receipt of your request that I waive service of a Notice in Lieu of Summons in the action of *United States v. Walker River Irrigation District*, which is docket number In Equity C-125, Subfile C-125-B, in the United States District Court for the District of Nevada.
- 2. I have also received a copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA, the FIRST AMENDED COUNTERCLAIM OF WALKER RIVER PAIUTE TRIBE, the CASE MANAGEMENT ORDER (Apr. 18, 2000), two copies of a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE, a copy of the ORDER DISCLAIMER OF INTEREST and related form, a copy of the ORDER REGARDING CHANGES IN OWNERSHIP OF WATER RIGHTS and related form, two copies of this instrument (WAIVER OF SERVICE OF NOTICE IN LIEU OF SUMMONS), and a means by which I can return the signed waiver to you without cost to me.
- 3. I agree to save the cost to me of service of a Notice in Lieu of Summons and an additional copy of the FIRST AMENDED COUNTERCLAIM OF THE UNITED STATES OF AMERICA and the FIRST AMENDED COUNTERCLAIM OF THE WALKER RIVER PAULTE TRIBE in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4 of the Federal Rules of Civil Procedure.
- 4. I understand that if I waive service of a Notice in Lieu of Summons, I must mail a NOTICE OF APPEARANCE AND INTENT TO PARTICIPATE to Susan L. Schneider, attorney for the United States, and I may use the same envelope provided for return of the waive: of service.
- 5. I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the Court except for objections based on a defect in the Notice in Lieu of Summons or in the service of the Notice in Lieu of Summons.

Duty to Avoid Unnecessary Costs of Service of Notice in Lieu of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the Notice in Lieu of Summons and the First Amended Counterclaims. An entity (such as yourself) located in the United States who, after being notified of an action and asked by a plaintiff (here the United States and Tribe) located in the United States to waive service of a Notice in Lieu of Summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the claims of the opposing parties are unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service the Notice in Lieu of Summons retains all defenses and objections (except any relating to the Notice in Lieu of Summons or to the service of the Notice in u of Summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

An entity in this case who waives service must, within 60 days, as specified on the waiver form, provide the court and DOJ attorney S. Schneider with a notice of appearance and intent to participate.